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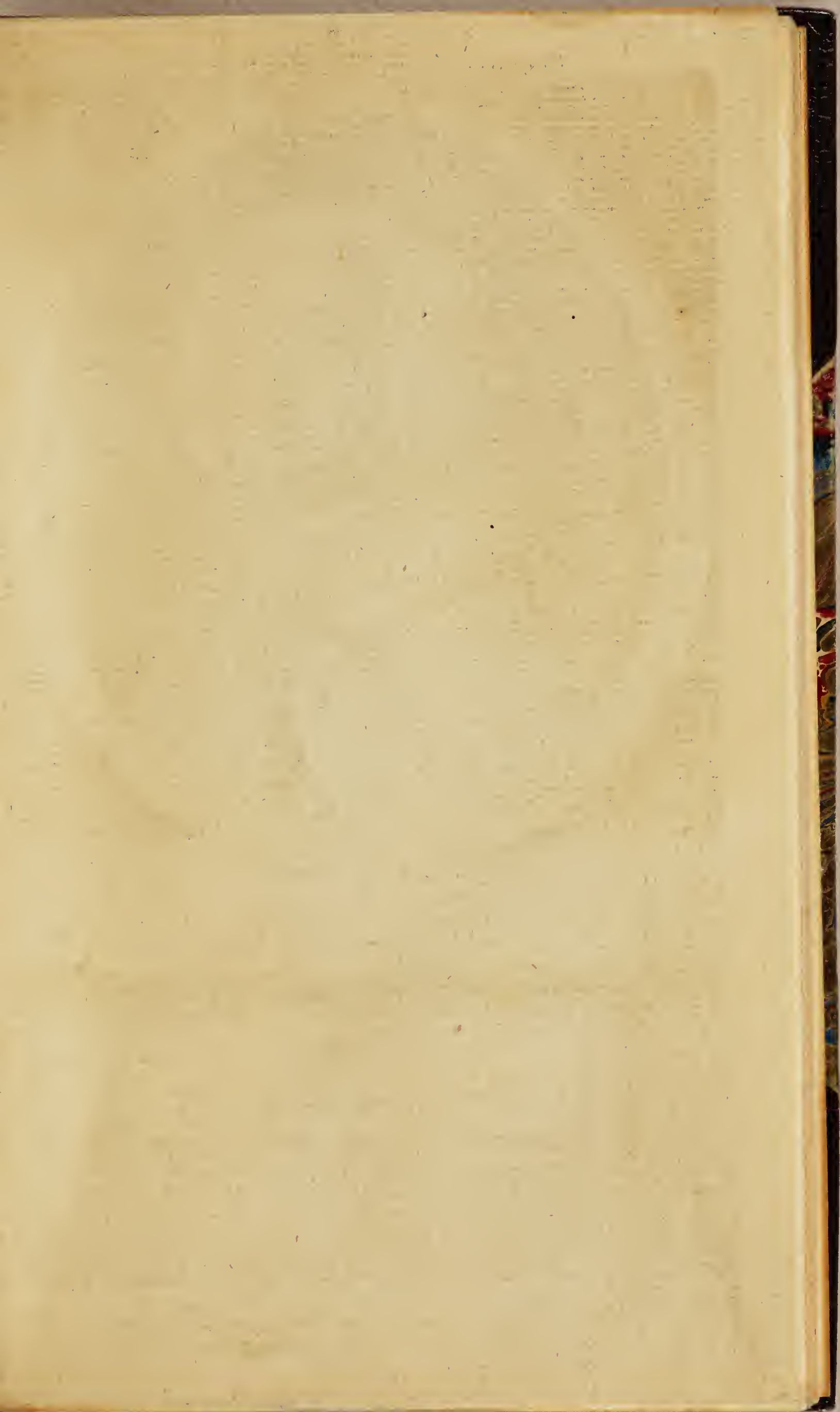






John Percival  
East of Egmont







Engraved for the Universal Magazine.



The Right Hon<sup>ble</sup>  
JOHN Earl of EGMONT.

*Printed for J. Hinton, at the Kings Arms, in Pater-noster Row*



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TO THE  
KING's Most Excellent MAJESTY,  
THE  
MEMORIAL of JOHN Earl of EGMONT,

*Most humbly sheweth,*

**T**HAT the said Earl desires from his Majesty a Grant of the whole Island of *Saint John's* in the Gulph of *Saint Laurence*, to hold the same in Fee of the Crown for ever, as one intire County (which Island is supposed and estimated to contain *Two Millions* of Acres of Land, be the same more or less), with all manner of Rights, Royalties, Privileges, Franchises, and Appurtenances whatsoever, with all Civil and Criminal Jurisdiction, with all manner of Courts as in *England*, and with Power to appoint or commission from time to time, all manner of Officers for the Exercise of the said Jurisdiction, and for ordering the Government thereof\*.

But under these express Reservations, to obviate all possible Abuse therein, *viz.*

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\* The Civil Jurisdiction, separated from the Military, and ministerially vested in the Lord of the County. Effectually controlled and restrained by force of the subsequent Provisoos. Conducted with Dignity, Justice, Lenity, and Confidence of the People.—By Persons who will have a permanent and common Interest in the Prosperity of those over whom they are to preside, and a great Stake at home to pledge for their good Behaviour abroad, either to the People or the Crown.—Without the Expence of One Shilling to the Publick.



1. That the Exercise of Jurisdiction abovementioned shall, in no Case whatever, vary in any respect from the known Rules of the Common and Statute Law of *England*; which Common and Statute Law shall obtain and be perfectly and intirely pursued in all Modes of Judicial Proceedings, and in all Criminal and Civil Causes, without Exception, in like manner as in any County in *England*.—To the end that the King's Subjects on the said Island shall for ever be entitled to the Benefit of all the Rights and Privileges of *British* Subjects, as fully, to all Intents and Purposes, as though the said County of *Saint John's* was a Member of the Island of *Great-Britain*, and a Part or Parcel thereof.

2. \* That all the Statute Laws of *England* or *Great Britain*, antecedent to the Day of passing the said Grant (excepting such as may clash with the Tenure intended to be established in the said County hereafter described, excepting the Laws relating to the Game, and excepting Taxes, &c. imposed which might charge the Lands, the Product or Property *within* the Land, and excepting such as are not of the Nature of general and publick Acts), shall have their full Force and Effect in the said Island; as likewise all the future Statute Laws of *Great Britain* (in which the said Island and County shall be expressly named), with the like exceptions.

3. That in Criminal Cases no capital Sentence shall be put in execution without the Assent of the King, or of the King's Governor of *Nova Scotia* for the Time being, except in the Case of Mutiny, when the Summons shall have been issued to appear in Arms by lawful Authority, or when Arms have been traitorously taken up without Authority, or when emergent Necessity of Publick Danger shall require speedy Execution by the Martial Law.  
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\* Original Compact to acknowledge the King, Lords, and Commons of *Great-Britain* as the Legislature of the Island of *Saint John's*.

† The Subjects of this Island, therefore to be considered and treated not as Provincial or Dependent, but as *Englishmen* to all Intents and Purposes whatever, without any jealousy or invidious Distinction.



—That in all extrajudicial Proceedings and in all Cause of private Property exceeding the Value of Five hundred Pounds Sterling, Appeals shall lie to the King in Council in *England*.

4. That no Officer or Minister, commissioned or appointed as aforesaid by the Earl (excepting such as are usually appointed in Hundreds and Manors by the Common Law) shall be capable of acting without the King's Approbation, signified under his Sign Manual upon the Commission or Appointment of such Officer or Officers, whose Names shall be first inserted in such Appointment, or Commission; provided nevertheless, that in the Case of Vacancies by Death, or otherwise, in the said Island, and before such Vacancies can be known and supplied by the said Earl, with the King's Approbation under his said Sign Manual, a temporary Appointment may be made of such Officer or Officers by the said Earl, his Sheriff, or his Deputy.—Such temporary Appointment to remain in force no longer than until the said Vacancies may be regularly supplied by a new Commission from the said Earl, approved by the King's Sign Manual as aforesaid.—Provided always, that in case, by any unforeseen Accident, Omission, or Neglect, the said Officers, all or any of them, should chance hereafter not to be appointed or commissioned in due Time or Times by the said Earl, or his Successors in the said County, his Majesty, his Heirs and Successors, or his or their Governor of *Nova Scotia*, shall or may, in all or every such Case, temporarily appoint such Officer or Officers respectively; but to continue no longer than until the said Earl, or his Successors, shall proceed to appoint and commission such Officer or Officers respectively as aforesaid, which he and they shall retain the Right to do for ever, and so *toties quoties* as the Case may happen.

5. That every Officer or Minister of the said County shall be liable to be *removed*, in case of Malversation (upon just Complaint made thereof to the King in Council) by the said King in Council; and so *toties quoties* as the Case may happen.—And such Officer or Minister shall



be liable to be *further punished* in the Court of King's Bench, or in the High Court of Parliament in *England*, according to the Degree and Nature of the Offence.

6. That with respect to the Power of Arms, it shall be regulated in the following Manner, in conformity to the Antient and Common Law in *England*, and not otherwise, *viz.*

1. In case of Tumults, Riots and Insurrections \*, and great Breaches of the Peace, all Inhabitants of the said County shall come forth under the Leading of the said Earl, or his Viscount, or Sheriff, or of the Deputy of the said Sheriff, and be bound to aid and assist him with the best of their Ability for resisting and suppressing such and the like Disorders.

2. In case of actual War, Rebellion or Invasion†, or imminent Danger thereof so declared by the King—so signified by Authority, and in Form by the King's Governor of *Nova Scotia*—or notoriously known in the said County—the King or the said Governor shall give *summons* to the said Earl, his Sheriff, or his Deputy for the Time being, who shall be thereby impowered (or the Earl himself, his Sheriff, or his Deputy, if the want of Time and Exigency of the case shall so require) to call together the Number of Men which are to be furnished for Defence of the said Island, by Tenure, as hereafter mentioned.—Upon which Summons so received by the said Earl from the King, the said Earl may (with equal Authority) issue the like Summons to the Forty capital Tenants hereafter mentioned to appear in Arms, and well provided for War, at a certain Place of Rendezvous, and on a certain Day, with the full Number of Men which, by their respective Tenures under the said Earl, they shall be bound to furnish —and upon such Summons so  
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\* The *Posse Comitatus*, as in *England*.

† The whole Military Power, as well over the Militia as the Regular Troops (separated from the Civil), confined to and vested in the King, or his Governor of *Nova Scotia*.



received by the said Forty capital Tenants, they the said Forty capital Tenants shall issue the like Summons (with equal Authority) to the Ten Lords of Manors holding under each of them, as hereafter mentioned, to attend them respectively, and to appear with uniform Arms of Musquet-bore, and well provided, at the same Place of Rendezvous, and on the same certain Day; and upon such Summons so received from their respective capital Lord by each of the said Lords of Manors—each of the said Lords of Manors shall issue the like Summons (with equal Authority) to attend him, and to appear in Arms, &c. to the Two Freeholders holding by Tenure under him, as hereafter mentioned.

*Provided* always, that neither the Earl, the Sheriff, or his Deputy, nor all or any of the said Forty capital Tenants, nor all or any of the said Lords of Manors, shall at any Time, or on any Occasion, or on any Pretence whatsoever (except for the Purposes of training the Persons holding by Tenure, which shall and may be lawfully done four Times in every Year, within each respective Hundred), cause to be assembled or drawn together, by virtue of any Summons, or otherwise, for the Purposes of War as aforesaid, jointly or severally, any of the Persons holding of them respectively, unless in the Manner and under the Circumstances before prescribed.

*Provided* also, that, in the Cases of regular and lawful Summons, none of the said Persons so bound by Tenure shall attend their respective Lords, otherwise than as their Conductors and Leaders to the general Rendezvous; and that, then and there assembled, they shall be marshalled and placed in such Troops and Companies, and under such Leaders and Commanders only, as shall be appointed either by express Commission from the King, or by formal Order of the King's Governor in Nova Scotia, the single Call excepted, where the sudden Danger and Exigency of the Case shall render it impossible to wait for such Appointment; in which Case, and no other, the Earl, his Viscount, or his Sheriff, or his Deputy, with the



*Advice* of the said Forty Tenants, or the major Part of them, then and there assembled, may appoint and authorize such Officer or Officers for the training, commanding, and leading the said Persons so called together by their Tenure, with full Power and Authority as though the said Officer or Officers were appointed and authorized for the same Purpose by the King himself.

To which Force, so provided by Tenure as aforesaid, all Inhabitants, from the Age of Sixteen to Sixty, shall be obliged to join, being marshalled, officered, and trained in different Troops or Companies, whenever the said Earl, his Sheriff, or his Deputy, shall be authorized by his Majesty's Governor of *Nova Scotia*, or by notorious and emergent Necessity (when Time cannot be allowed for receiving such Authority), to issue a Proclamation for a general Array, and a Commission for the general Exercise of Martial Law.

\* The said Earl proposes to hold the said County by the *Tenure of finding One Thousand Two hundred Men* for the Defence of the said County;—which Tenure he intends to accomplish, and to assure the Service to the Crown within *Ten Years*, to be computed from the Day that he shall receive the said County, surveyed and set out by his Majesty's Surveyor, in the Divisions hereafter mentioned, in the following Manner, *viz.*

The said County (supposed as aforesaid to contain Two millions of Acres, be the same more or less) shall be surveyed and divided into *Fifty* Parts, of equal extent, with the utmost Justice; Regard being had to the most equal Distribution of the good and bad Land, of the Lands already cleared, and of the Benefit of the Coasts, the Rivers, and the Harbours; which Divisions of the said County shall be for ever after called Hundreds,

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\* A Tenure (in Free and Common Socage only) to ensure the effectual Establishment and proper Distribution of the Settlers ——— But divested of all the Incidents of Military Tenures, or Tenures by Knights Service, which were taken away, with every obnoxious Circumstance of Tenures, by the Statute of 12 Car. II. cap. 24.



dreds, as in *England*, (or Baronies, as in *Ireland*;) and shall for ever remain of the same Form and Extent, with a general Hundred Court, Court Leet, and Court Baron, and all Franchises and Jurisdiction appurtenant or incidental thereto respectively, according to the Common Law of *England*, to be held for ever as Part and Parcel of the said County, and of the said Earl as Lord Paramount, or capital Lord of the Fee:—Forty of which Hundreds shall be granted out in Tenure by the said Earl to forty capital Persons, (*viz.* one to each) who shall hold the same in Fee as Lords of the said Hundreds for ever, charged respectively with the Payment of Twenty Pounds Sterling *per Annum* (and no more) to the said Earl, with Suits to the Courts of the said County, and the furnishing Ten Men (Part of the Number of One thousand Two hundred allotted by Tenure); each of which Ten Men shall be bound to furnish also Two, for the Completion of the said whole Number, in the Manner hereafter expressed.—The remaining Ten Hundreds to be reserved in the said Earl's Demesne; of which Demesne Lands the said Earl shall set out, in the first place, a District of *Fifteen thousand Two hundred Acres*, in the most convenient Part, for the *Capital Town* and principal Place of Trade in the said County, in the following Manner, *viz.*

*First*, One Lot of *Four hundred Acres* to be inseparably annexed to the Person of the Lord of the said County for the Town-Residence of the said Earl, and his Successors for ever.

*Secondly*, *Fifty Lots of One hundred Acres each*, one of which shall be for ever inseparably annexed to one of the before mentioned *Forty Hundreds*, or Baronies for the Convenience of the first Settlers, and for the Town Residence of the respective Owners of the said Hundreds; which said Lots shall pay each a Burgage Rent for ever, or yearly Fee Farm of Forty Shillings Sterling, and no more, to the said Earl, with Suit of Court to the General Court of the County, to the Courts of the Lord of



the Hundred, and to the Courts of the said Town (making in the whole *Five thousand Acres*).

*Thirdly*, The said Earl shall further set out in the said District *Five hundred Lots of Ten Acres each*, one of which shall be in like manner inseparably annexed for ever to one of the Ten Manors by Tenure, into which (as will be hereafter mentioned) each of the said respective Forty Hundreds or Baronies shall be in part farther divided for the Convenience also of the first Settlers and the Town-Residence of the said respective Lords of Manors.—Each of which said Lots shall pay for ever a yearly Fee Farm or Burgage Rent of Five Shillings Sterling and no more to the said Earl, with Suit of Courts as before expressed (making also in the whole *Five thousand Acres*.)

*Fourthly*, The said Earl shall farther set out, in the same District, *One thousand smaller Lots of Four Acres each*, one of which shall be for ever inseparably annexed to one of the Freeholds of each of the said Ten Manors (hereafter mentioned) for the like Convenience of the first Settlers, and for the Town-Residence of the respective Owners of the said Freeholders respectively.—Each of which said Lots shall pay for ever yearly a Fee Farm Burgage Rent of Two Shillings Sterling and no more to the said Earl, with Suit of Court to the Courts of the County, of the Hundred, and of the Manor to which the said Freeholds shall respectively belong (making in the whole *Four thousand Acres*).

*Fifthly*, The said Earl shall farther set out, in the same District, *Two hundred Acres for Market-places, Store-houses, public Buildings, and other publick Uses*.—For which the Mayor, Bailiff, or Chief Magistrate of the said Township (to be hereafter mentioned) shall answer to the said Earl a yearly Fee Farm Burgage Rent of Two Shillings Sterling and no more.

*Sixthly*, The said Earl shall farther set apart, in the said District, *Six hundred Acres more as a Common*, where the Cattle of the New-comers may be grazed or



foddered for a short Time respectively not exceeding three Months, at the Discretion of the Magistracy of the said Township (to be hereafter mentioned) 'till such New-comers can be placed upon the Lands allotted to them respectively.

\* For which Licence to Common as aforesaid—Every Person so commoning shall pay One Penny Sterling *per* Head *per* Month for each large Beast, or One Penny Sterling *per* Month for Six Sheep or Hogs, as an Acknowledgment to the said Earl; all which said Fee Farm Burgage Rents and Acknowledgments shall be collected and paid by the said Chief Magistrate of the said Township by half yearly Payments in the Court of the said Borough into the Hands of the Earl, his Sheriff of the said County, or his Deputy for the Use of the said Earl.—Which said Township (exclusive of the said Four Hundred Acres set apart for the Town-Residence of the Earl as aforesaid) so containing Fourteen thousand Eight hundred Acres, and so laid out, shall be intitled to a Charter, with a Magistracy for maintaining Regularity and Order therein.—With Fairs to be held four Times in every Year, and Markets twice in every Week, with all Things incidental by the Common Law thereto.

The Remainder of the said Demesne Lands of the said County after the Tenure so assured by the Grant of the said Forty Hundreds (or 1,600,000 Acres) to the said Forty Lords thereof; and after the setting apart the said 15,200 Acres for the Capital Town of the said County as aforesaid, shall be reserved in Demesne to the said Earl for Establishments intended by him to be made for himself and his Nine Children, his Friends and Dependants and others at the Pleasure of the said Earl, and subject to no other Burthen (except the building of a large and strong Block-house, or House of Defence mounted

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\* The Use of this Licence is to afford a Means for the better ascertaining the Quality, Condition, and Numbers of those who shall present themselves from Time to Time to settle in the Island.



mounted with Ten Pieces of Cannon, carrying each a Ball of four Pounds, and maintaining the same for ever, with a Circuit round the same of three Miles every Way from the said Block-house, to be annexed thereto for ever, and to be kept in Hand or leased on short Terms only, not exceeding Twenty-one Years, for the greater Security of the same; and for the better Support and Sustainment of the Family and Household of the Earl, as the capital Seat of the Lord of the said County for ever, and as a Place of general Retreat and Protection for all those who shall hold by Tenure and other Settlers of the said Island, upon any Alarm of sudden Danger, and except the Quit-Rents and reserved Rents (as hereafter expressed) without Limitation of Time, Mode of Settlement, or other Restraint whatsoever, the same being designed as the Means for Encouragement, and as a Fund towards the full and compleat Population in Process of Time of the said Lands, and for the Benefit of the said Earl and his Family, and their Heirs for ever.

\* Provided always that whenever the said *Demesne Lands* either of the said Earl, or of any of the Lords of Hundreds, or Lords of Manors hereafter mentioned, shall be further granted out in the first Instance by them respectively, one Shilling Sterling *per* Hundred Acres, and so in proportion shall be charged thereon as a *Quit-Rent to the Crown*, and the like Sum of One Shilling Sterling *per* Hundred Acres as a *Quit-Rent to the respective Lord*, to be annexed to each respective Tenure for ever (over and above any other Payments or Fee Farm Rents by special Agreements that may be further reserved by the said

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\* No Quit-Rent paid for the Portion of Land, specially set apart, to form the Tenures; but dearly bought off by the expensive Mode of Settlement, in the strong and defensible Manner here prescribed.

The usual Quit-Rent paid to the full for all the rest, *one half* whereof only to the Crown (which nevertheless will produce infinitely more, from the far greater Proportion of good and bad Lands together, that must necessarily be settled under a State of so much greater Security.)—The *other half* annexed to the Tenures, without which they could not be established, and permanently maintained.



said respective Lord). The said Quit-Rents to commence in like manner as aforesaid ten Years after the Date of such Grant, or Grants respectively.

The whole County being thus cast into the general Form of *Tenure* and *Demesne* as aforesaid, a similar Distribution shall prevail throughout in the farther Subdivisions thereof as follows, *viz.*

\* Each of the said Fifty Hundreds or Baronies shall be farther divided into Twenty Manors of 2,000 Acres each, which Manors shall be intitled to a Court Baron according to the Common Law of *England*.—Ten of which shall be granted by Tenure to Ten Lords of Manors, *viz.* One to each, who shall hold the said Manors respectively of the said Lords of the said Hundreds for Assurance of the Service reserved to the Crown, paying only Forty Shillings Sterling *per Annum* for ever to the Lord of the said respective Hundred with Suit of Court to the Court of the said Lord of the said Hundred and his Courts Leet as his superior Lord, and Suit of Court to the Courts of the Earl as Lord Paramount of the County.—And furnishing one Man by his Tenure (making altogether Four Hundred) for Defence of the said County, upon the legal and regular Summons received through the Channel of their respective Lord of the Hundred as before described.—The other Ten Manors of each respective Hundred after the Tenure so assured shall be reserved in Demesne to the said Lord of the Hundred.—Of which Demesne Lands the Lord of each Hundred shall (in like manner as the Earl on his Part as above mentioned with respect to his Demesne) set out in the first Place *Five Hundred Acres* for the *Scite* of a *Town* in his respective Hundred or Barony. Which Town shall be divided into *One Hundred Lots of Five Acres each*, to which any Person or Persons shall have Liberty to resort, and take up one of the

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\* All the Lands of *England* (except a small Portion in antient Demesne, &c.) are actually now held immediately and mediately of the Crown, in the Form and Mode here specified, with the same Courts and Jurisdiction used and exercised therein.



the said Lots (until the whole shall be occupied) and to become intitled to the same for ever upon erecting an Habitation thereon, paying a yearly Fee Farm Rent of Four Shillings Sterling *per Annum* and no more for the said Lot to the respective Lord of the said Hundred or Barony, to be for ever annexed to and inseparable from the Lord of the said Hundred.—\* With Suit of Court to the Court of Hundred, and the Courts Leet and Courts Baron of the said Lord, and to the Courts of the Earl, as Lord Paramount of the said County. Which said Town, or Township, shall be intitled to Fairs Four Times in every Year, and to a Market twice in every Week, with Courts, &c. incidental by the Common Law thereto.—The Remainder of the said Demesne of each respective Hundred or Barony, after the Tenure so assured by the Grant of the said Ten Manors to the said Ten Lords of the said Manors; and after setting apart the said Five Hundred Acres for the Market Town of the said Hundred in the manner aforesaid, shall remain in Demesne (being computed at Nineteen Thousand Five Hundred Acres) free to be planted, established, and improved without farther Burthen (except the building a Block-house or strong House of Defence, mounted with Eight Pieces of Cannon carrying each a Ball of Four Pounds, with a Circuit round the same of one Mile every way from the said Block-house, or Two Thousand Acres to be annexed thereto for ever, and to be kept in hand, or leased on short Terms only not exceeding Twenty-one Years for the greater Security of the same, and for the Benefit and certain Support and Sustainment of the Family and Household of the said respective Lord of each Hundred for ever, as the capital Seat of the Lord of the

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\* These Courts (wisely established by *Alfred*, and others of our *Saxon* Princes, to maintain Order, and bring Justice to every Man's Door) are obviously and capitally essential for a small People, forming or formed into a separate and remote Society, in the vast, impervious, and dangerous Forests of *America*.—Intersected with Seas, Bays, Lakes, Rivers, Marshes, and Mountains; without Roads, without Inns, or Accommodation; locked up for half the Year by Snow and intense Frost—and where the Settler can scarce straggle from his Habitation Five hundred Yards (even in Times of Peace) without Risque of being intercepted, scalped and murder'd.



the Hundred, and as a Place of Retreat and Protection for the Settlers of the said Hundred upon any Alarm of sudden Danger; and except the Quit-Rents as before mentioned,) without Limitation of Time, or Restraint whatsoever, as to the Mode of Settlement so left for Encouragement, and as a Fund towards the full and compleat Population of the said Hundred, and for the Benefit and Advantage of the Lord of the said Hundred, his Family, and their Heirs for ever.

That in like manner each of the said Ten *Lords of Manors*, holding respectively Two Thousand Acres of each Lord of the said Forty Hundreds in manner aforesaid, shall be bound to establish by Tenure *Two Freeholders* in each of the said Manors, himself not included) and shall for that Purpose set out two Portions, or Freeholds, of *Two Hundred Acres*, one for each of the said Freeholders, to be held of the said respective Lord of the said Manor by the Tenure of finding each one Man, (making in all Eight Hundred) to appear upon lawful Summons as aforesaid, and to attend the said Lord of the respective Manor for the Defence of the said County, upon the legal and regular Summons before described, paying Four Shillings Sterling *per Annum*, and no more for ever, to the Lord of the said Manor, to which the same shall be annexed for ever with Suit of Court to the Court Baron of the said Lord, and to the Courts of the Hundred and Courts Leet of the Lord of the said Hundred, and to the Courts of the Earl as Lord Paramount of the said County. The Remainder of the said Two Thousand Acres or Manor, after the Tenure of the said two Freeholders so assured, shall be reserved in Demesne to the Lord of the said Manor. Of which Demesne *One Hundred Acres* shall be set apart for a *Village* in the said Manor in *Twenty Lots of Five Acres each*; to which, as before expressed, with respect to the Market Towns of the Hundreds, any Person or Persons shall have Liberty to resort, and to claim and possess one of the said Lots, upon consenting to the like Conditions, like Suit of Courts, &c and paying yearly Two Shillings and Sixpence Sterling and no more for ever to the Lord  
of



of the said Manor.—The Remainder of the said Demesne of such Manor, after the Tenure so assured by the Grant of the said Four Hundred Acres to the said two Freeholders; and after setting apart the said One Hundred Acres for the said Village, as aforesaid, shall remain in Demesne (being computed at Fifteen Hundred Acres) in like manner free to be planted, &c. &c. &c. (except the building of a strong House, and maintaining the same for ever, with a Circuit of Four Hundred Acres round the same, to be annexed thereto for ever, and to be kept in hand, or leased on short Terms not exceeding Twenty-one Years, for the greater Security of the same, and for the better and certain Support, and Sustentation of the Family, and Household of the said respective Lord of the said Manor for ever, as the capital Seat of the Lord of the Manor, and except the Quit-Rent as before mentioned) for the Benefit and Advantage of the said Lord of the Manor, his Family, and his Heirs for ever.

In order to secure the Crown of *England*, in the full Benefit intended by the said Proposal—It shall and may be lawful at any Time or Times hereafter, (after the Expiration of the said first ten Years) in the case of any Failure or Omission, in answering the Service incidental to the respective Tenures instituted in pursuance of the Plan above-mentioned, for the said Earl, his Heirs, or Successors, *after Precept from the King in Council* received by him for that Purpose, to enter upon any of the said Hundreds, Manors or Freehold Tenures therein, where such Failure or Omission shall have happened respectively; and to take the same into his Hands till full Satisfaction shall have been made for such Offence.—And in the case where (after the Expiration of the said first ten Years as aforesaid) the said Tenure shall not have been established according to the full Extent and Meaning of the said Grant.—\*It shall and may be lawful

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\* No Forfeiture can ever accrue to the Benefit of the Lord of the County.

Nor to the Crown, so as to alter the Constitution or Establishment of the County.



lawful for His Majesty, by *Precept as aforesaid* to the said Earl, then to seize and confiscate, and to direct the said Earl to regrant such Hundred, Manor, or Tenure therein respectively, within Six Months to some other Person, who shall thenceforward hold the same Hundred, Manor, or Tenure, of the said Earl of the said County to all Intents and Purposes, and under the like Conditions and Reservations (but not otherwise) as the same was before held by the first original Grantee thereof.

And as it is not only necessary thus to secure the certain Establishment of the said County upon the Tenure abovementioned, but of equal Importance that it should be ever after maintained without Variation of that Tenure—from which the *Security*, the *Order*, the *Subordination*, the *Dependence* upon the Crown, and other *Benefits* to *Great Britain*, will be most essentially derived—And whereas the Remedy provided for this Purpose by the antient Tenures, consisted (with many other Abuses grafted thereon) in a Condition of *Perpetuity*, and *Non-Alienation* to the Grantee; which is *repugnant* to the Principles of the Law of *England* at this Day, and inconsistent with Liberty and Commerce :

In order to obviate the Inconveniencies on one hand, and on the other, the said Earl further desires,

1. That the same Divisions, and Conditions of the Tenures established in this County, pursuant to this Plan, shall be for ever attentively and inviolably observed.

2. Yet, that no one farther Circumstance, incidental to the antient Tenures, may be ever super-added thereto\*.

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\* An express Exclusion of the Incidents of Military Tenure, or Tenure by Knights Service, vulgarly but improperly called by the Name of the Feodal Tenure, which (divested only of those Incidents) remains the Basis of the *English* Constitution at this Day.



3. And that every Tenure shall be subject to Alienation.

4. Yet with this Circumstance, that the Alienation shall be in Gros of each respective Tenure.—That is to say,

1. *The Earl may sell his County, with the Tenure, Block-house, Block-house Lands, Quit-Rents, Reserved Rents, and Town Burgage annexed, in the Whole, or in Gros; and that the Person who shall buy the County shall stand in all Respects possessed thereof as the Earl, or the original Grantee\*.*

2. *The Lord of each Hundred may sell his Hundred, or Barony, with the Tenure, Block-house, Block-house Lands, Quit-Rents, Reserved Rents, and Town Burgage annexed, in the Whole, or in Gros; and the Person who shall buy such Hundred shall stand in all respects possessed thereof, as the original Lord or Grantee.*

3. *The Lord of each Manor, in each respective Hundred, may sell his Manor, with the Tenure, Capital House, House-Lands, Quit-Rents, Reserved Rents, and Town Burgage annexed, in the Whole, or in Gros; and the Person who shall buy such Manor shall stand in all respects possessed also thereof, as the original Lord or Grantee.*

4. *The Two Freehold Tenants of Two Hundred Acres each, in each Manor, may sell his respective Freehold Tenement, with the Tenure, and Town Burgage annexed;*

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\* A small Portion only of every Grant to be annexed to, and alienated with the Tenure, that the Tenure may be maintained—the rest alienable without that of any other Restriction.

The Authority and Power being thus territorial, and not hereditary and personal, by this Plan; but subject to complete Alienation. The Benefits from both the Principles of Aristocracy and Democracy, conjoined, are preserved and reconciled—the respective Evils of both avoided, and the real Source of Contention between these two Orders extinguished.



nexed; and the Person who shall buy the same shall likewise stand possessed in like manner.

5. And for a further Security, that the said Tenures may be rendered as far as possible, permanent, and productive always of the same Temper in the People, and of a constant Adherence to the same Principles upon which the said Establishment is designed to be founded; and whereas the Force and Effect of that Order, which is intended therefrom, might not only be *dissolved and destroyed by the sub-dividing* the said individual Tenures respectively, from the Alienation of the same in Parts and Parcels, and not in Gross (the Remedy whereof is already above provided); but the same may be equally *perverted, and in the End overthrown, by engrossing* the said forty capital Tenures, and other Tenures, into one, or into few Hands, which might otherwise happen in a little Course of Time; it is farther proposed, and desired, that none of the said \* *Forty capital Tenants* shall be permitted to attain, hold, or enjoy, directly or indirectly, more than one of the said Forty Hundreds (so held by Tenure of the said Earl as aforesaid), with other the like Tenures of Manors, and Freeholds depending respectively on the said Hundreds, *except as in the Manner hereafter expressed*; that is to say, that in the Case when by Gift, Devise, Purchase, or otherwise, any such Lord of such Hundred shall acquire or become seized, to his own Use and Benefit, of one, two, three, or more of such of the said Hundreds, or other Tenures, as here described, *in Addition to the like Hundred by him possessed before upon the same Tenure*, he may possess and enjoy the same conjointly during his own Life: and if he should die, leaving only one Child, that Child may likewise possess and enjoy the same during his Life; and in like manner an only Child of that Child; and so on for ever, if the like Contingency should successively happen.--But so soon

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as

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\* Proviso, with respect to the Forty capital Tenancies, that they should not fall into a few Hands, or be too much enlarged.

Lords of Manors (not enjoying Hundreds) are not restrained thereby.



as any Possessor of the said conjoined Hundreds and Tenures afore said, as here described, shall die, leaving more than one Child, or leaving no Child, all the said Hundreds, so before conjoined, shall be thenceforwards separated in such manner, that no more than one of the said Hundreds, and other Tenures afore said, as here described, shall continue to be possessed conjointly any longer (unless the like Contingency should arise again) by any one of the said Children, or by any Heir or Successor thereto; and all and every the remaining Hundred, or Hundreds, and other additional Tenures as afore said, as here described (exceeding the Number of one of the said Hundreds, which may be lawfully disposed of, or bequeathed by Will respectively, to each of the said Children, and one to the Widow of the said former Possessor) shall be publickly and *bona fide* sold to the best Bidder, within two Years after the Decease of such former Possessor, and the Money arising from the Sale thereof shall be applied, as personal Estate, according to his or her last Will and Testament; or in case he or she shall make no Will, such Sum or Sums of Money shall go to such Person or Persons as, by the Rules of the Common and Statute Law of *England*, shall be found intitled to the same.—And any Attempt directly or indirectly, to defeat the Force and Effect of this Provision shall be void, and punished as a Fraud; and upon Proof thereof, the said capital Tenures (exceeding one respectively, as afore said) shall immediately pass in Fee to the Person or Persons next of kin to the last Possessor, not already possessed of one of the said Forty capital Tenures and Hundreds: But in case of no such Relation or Relations to be found, then the same shall go to the Earl, his Heirs, and Successors, as a Forfeiture, to be by him regranted to some other Person, upon the same Tenure, Terms, and Conditions (and not otherwise) as to the original Grantee.

6. But the Tenures being thus sufficiently maintained upon the primitive Principles, and therefore effecting constantly the same Operation, though changing never so often into different Hands—all the Demesne  
Lands



Lands of the County reserved to the Earl, all the Demesne Lands reserved to the Lords of the respective Hundreds, all the Demesne Lands of the Lords of the respective Manors in those Hundreds held only at large in common Soccage, may be subject to Alienation under the Quit-Rents, and other Rents reserved in any Parts or Parcels, without any Restriction whatsoever, only that they shall remain as all Lands in *England*, at the Common Law, still holding (however separated, or transferred, into more or fewer Hands) as Part and Parcel of the said County, and within the Precincts or Manors of the Lords of the Hundreds, and Lords of the Manors respectively, where they originally lay.

\* The said Earl hath already engaged a sufficient Number of *Sea-Officers of the most distinguished Ranks and Service*, and others of his Friends, who are willing and able, in Co-operation with him, and without any farther Concurrence, to accomplish the Settlement of the said Island of *Saint John's*, according to the Plan proposed, which has been communicated and fully explained to them.

† Yet, in order to prevent the Disappointment of *such Persons, Merchants, Officers of the Army, or others*, who are said to have desired Grants in this Island, the said Earl will consent to admit *any or all* of the said Proposers

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\* The Names of these were *specified* in a Schedule to the Second and Third Memorial delivered to his Majesty hereafter annexed—many of whom, being the principal Officers who effected the Conquests in *America*, were intitled to Lands there, by his Majesty's Orders in Council and Proclamation.—Which Claim they prayed (in a joint Letter to the Board of Trade) might be satisfied, by Permission to hold their Lands upon this Plan under the Earl, *and in no other Manner*.

† All these were admitted by the Earl accordingly. Their Names are *distinguished* also in the Schedules to the Second and Third Memorials aforesaid. These Gentlemen having received Encouragement from the Board of Trade to expect from them *the same Quantity* of Land in the best Spots of the Island, *to be chosen where they thought fit*, were sent to talk with the Earl; and having considered this Plan, *renounced* their Pretensions unanimously, and wrote to that Board signifying the same, and desiring to hold an equal Quantity of Land (*such only as might fall to them by Lot*) under the Earl.



polers to partake of the Benefit of this Plan;—and to grant to them respectively either *Hundreds, Manors, or Freeholds*, according to their Abilities and Inclinations, upon the Tenures and Conditions herein before at large expressed.

The Power of making *Bye Laws for Regulations within the said County, and the Fishery and Trade thereof, for Treaties with the Indians, and for assessing and levying such Sum or Sums of Money for the publick Occasions of the said Island*, as their future Condition and their common Benefit may hereafter demand; and where the said Powers shall be lodged, and under what Restrictions exercised, is not considered here.—The said Earl only humbly observes thereon, that fewer Occasions will call for the Exercise of these Powers, and the Cases must be the less important, because the Statute as well as Common Law of *England* is proposed to have Force therein, which is widely different from any Constitution hitherto founded in *America*.—But this may be a future Object, and will be easily fixed, should this Proposal be accepted.—Nor is any Provision made for any *Church Establishment*.—This Omission may be supplied also, in any Mode which may be found convenient.

Neither is any Thing here specified in regard to such publick *Fortifications* as his Majesty shall think fit hereafter to erect in the said Island, because this cannot be well done 'till his Majesty's Engineers shall have marked out and surveyed such Place or Places as may be found most proper to be reserved to the Crown for that Purpose, any thing herein contained notwithstanding.

All which *Powers* and farther *Provisions* (so far as they may be found requisite), the said Earl humbly hopes may be supplied hereafter by the Grant of a distinct and subsequent Charter of Liberties, after mature Deliberation had thereon:—Which Charter may  
the



the better admit of some Delay \*, as the Powers and Jurisdiction of the Earl's Courts of the County, and the Courts Leet of the Hundreds, extended to the Cognizance of Causes not exceeding the Value of *Ten Pounds* (instead of Forty Shillings); and the Courts Baron of the said Hundreds and Manors respectively, exerted in their full Vigour, according to the Common and Statute Law, with proper Officers appointed incidental thereto, and others, pursuant to this Proposal, will in great measure answer all Occasions of Administration and Government for a considerable Time after the first Settlement of the said County.

† A SUMMARY of the Whole.

Tenure for the Service ( <i>but in Common Soc- age</i> )	{	1 Earl of the whole County.	
		40 Capital Lords of Forty Hun- dreds.	
		400 Lords of Manors.	
		800 Freeholders.	
		For Assurance of the	Acres.
		said Tenures . . }	800,000
		C 3	For

\* N. B. The Powers of dividing, subdividing, and erecting not only Manors and Hundreds, but even Countes, were not only *pass'd*, but *advised to be inserted* in Grants from the Crown, to the *Subject*, in the Reign of *George the First*, and in the late Reign of *George the Second*, by the Lord Chancellor *Talbot*, and the late Lord Chancellor *Hardwicke*.

† This Proposal is but Part of a general Plan for the Settlement of all the conquered Countries of *America*, suggested soon after the Conclusion of the late Peace---to the following Effect, *viz.*

1. Let the Conquered Countries be cast into *Provinces* (nearly of the Size of *Ireland*) of eighteen million of Acres each.

2. Let *each Province* be actually surveyed at the Crown Expence, beginning by Two or Three upon the Southern and Northern Frontiers (which might be done in One Year), proceeding afterwards gradually inwards with the rest.

3. Let a District be first set out in *each Province* of Twenty thousand Acres, for the Capital of the Province-- the Principal Fortrefs---the Seat of a military Governor, with a competent Body of regular Troops---  
*The Government to be military, by Commission and Institution, within the said District of Twenty thousand Acres; but wholly confined therein,*  
unless



	For Establishments for	Acres.
Tenure of Bur- gage	Trade and Com- merce in the most proper Parts of the Island,	
	1 County- Town . . }	15,200
	40 Market- Towns . }	20,000
	400 Villages	40,000
		75,200
Tenure ( <i>at large</i> ) in Common Soc- cage	Left ( <i>at large</i> ) in Com- mon Soccage, as a Fund to enable the Undertakers, and for their Encouragement, to compleat this Plan	1,124,800
		2,000,000

In order to give the better Idea of the publick Utility of this Proposal, the said Earl humbly begs Leave farther to submit, that if the Territory acquired in *North America* by the late Peace amounts (as it is computed by some) to *One Thousand Two Hundred and Forty millions of Statute Acres*—it would afford *Sixty-two Provinces*

unless in Time of War, Rebellion or Invasion, of imminent Danger thereof, (*and except as heretofore excepted in this Memorial.*)

4. Let the Remainder of each Province be also surveyed, divided into *Nine Counties* of Two millions of Acres each, and subdivided into Hundreds, Manors, and Freeholds.——To be granted out to the Peers, great Commoners, eminent Merchants, and other Gentlemen of Distinction, in the Manner here described —*The Civil Government to be wholly carried on by them within those Counties, according to this Plan.*

5. Let the actual Survey of each Province (thus divided and subdivided, and numerically noted) be lodged of Record in the Board of Trade, Admiralty, and Treasury, to be inspected; and the Lands to be taken up without Impediment or Delay, at pleasure, by any proper Subject.

6. Let the Lordships of the Counties and Hundreds be granted only to the *natural-born Subjects of Great Britain*; but the Manors, Freeholds, and other Lands to the *People of any Nation*.

7. Let no Grant be, for the future, made in such Province by any Governor, Council, Assembly, Surveyor, &c. abroad or at home, by any Office, except according to this actual Survey, and to the Divisions and Plan here laid down.



*vinces* (larger than *Pensylvania*) of Twenty millions each; or *Seventy-three Provinces* as large as the Kingdom of *Ireland*; or *Six hundred and Twenty Counties of the Size here described*—which, as fast as they could be settled, would be certainly secured;——and a few Counties only established in proper Parts, upon a like Plan, would contribute greatly to the Strength and Safety of his Majesty's Empire there; the Proportion whereof may appear from hence, that if all so settled (not including the rest of the People at large, who might in time be drawn from all Parts of the World, and multiply under that Protection), such a Tenure alone would furnish a *Force of Seven hundred and Forty-four thousand Men*\*.

A Portion of Ground *Eight Miles square*, contains Sixty-four square Miles; and a square Mile contains Six hundred and Forty Acres; therefore a Portion of Eight Miles square contains *Forty thousand Nine hundred and Sixty Acres*, and consequently each of the said Hundreds is a Portion of Land less than Eight Miles square.

If then each Lord of each Hundred is bound to erect and maintain for ever a Block-house, or House of Strength, as the capital Seat of his Hundred or Barony, for a Place of Retreat and Rendezvous for the Settlers in his Hundred, on any Alarm of sudden Danger, as

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before

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\* *N. B.* A Province of Nine such Counties (containing a Million of Acres more than *Ireland*) would be settled in this complete and powerful Manner by so small a Number as Ten thousand Eight hundred Men.

And without the Expence of One Shilling to the Publick.

Whereas upon the late Conditions, stipulating *One Person to be settled in proportion to One hundred Acres*—One hundred and Eighty thousand Souls are required.

From whence it is evident—First, that such Grants (if of any considerable Extent) must become *illusory*, cannot be fulfilled, and the National Views will be consequently disappointed thereby.—Secondly, that *Ten Provinces* would be as effectually established and secured with the same Number of People, and in the same Space of Time upon this Plan, as one could be planted upon the other—and yet the latter not capable of being defended or governed but by a great and constant national Expence.



before mentioned—every Inhabitant in the said Hundred, and throughout the said County, may have recourse to a Place of Security within *Four Miles* distance of his Habitation.

\* And thus the whole People residing within the hearing of a Cannon fired at the Block-house of their respective Hundreds, and each Block-house likewise being thus erected but Eight Miles asunder, within distance to hear such Cannon respectively from the Block-houses of its adjoining Hundred—one Cannon fired at the Block-house of any one Hundred, and the Signal repeated from the next, and so on from the one to the other, will be sufficient to give the general Alarm, and to put every Inhabitant of the whole County, in every Part thereof, from one End of the Island to the other, under Arms, and in Motion, in the Space of one Quarter of an Hour.

The said Earl heretofore proposed to settle a County upon a small Scale of *Five Thousand Carres* or about *Fifteen Thousand English Acres* in the Island of *Dominique* upon a *similar Plan*, and had Expectations from the late Earl of *Egremont* that he should obtain a Grant for

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\* Thus it appears equally detrimental and preventive of the Settlement of *America*, to insist upon Terms of *Population* with the Grantee beyond what are truly necessary, as to insist upon too few or none at all. And to *post* so as to secure firmly for the *present*, is the only effectual Method to ensure full Settlement in the *future*.

It is Wisdom therefore to call the Powers of *Plan*, *Distribution*, and *Order* to the Aid of *Numbers*.

Without this (if our Conquests are to be settled at all),

1. The Number of *Civil Officers* to be appointed, pursuant to the *present Mode of Governments*, by *Commission and Instruction*, only, will, in Process of Time, become incredible; and (however *mean* and *needy*, and consequently exposed to *Corruption*, as they then must be) hardly to be found, and not possibly to be maintained at the *Publick Expence*.

2. The *Military Force of regular Troops* for such a Country (little less than all *Europe*) must be either *insufficient*, or *enormous* beyond the *Revenues* both of *Britain* and the Colonies to support—or the Means of *Britain* to *raise*, *recruit* or *relieve*, either in *Peace* or *War*.



for that Purpose.—In consequence of which he took some Steps preparatory to the Execution of that Design.—But the *Sale* of these Lands being since resolved, any Undertaking of that Sort was totally prevented thereby.

However, if the Resolutions taken with regard to *Dominique* should be changed—The said Earl is ready to undertake either the Execution of a *smaller* Plan at *Dominique*, or the *larger* above laid down for the Island of *Saint John's*, or a Plan compounded of both, as will be hereafter mentioned, *in case the said Island of Saint John's should fall so much short of the Extent of Two Millions of Acres, as it has lately been suggested by some to do.*

The said Earl farther proposes an *equal Drawing of Lots for the Hundreds above mentioned, in order to obviate all Jealousy of their being partially conferred by the said Earl*; and humbly suggests the following Manner for Prevention thereof, *viz.*

That the Survey and Map of the said Island or County being made, and divided into the said Fifty equal Portions or Hundreds as above mentioned, with the Plan for the capital Town and Fortifications by the King's Surveyor (attended by a Person appointed by the said Earl)—Three Originals of such Survey and Map shall be returned by him, each Hundred or equal Portion numerically noted thereon, One, Two, Three, Four, &c. to the Number of Fifty as aforesaid, *viz.* One of the said Surveys and Maps to be annexed to the original Grant of the said Earl—A Second to be kept in the County Court of the said Island—A Third to be deposited as a publick Record with the Board of Trade in *Great Britain.*

And a Box (of the Nature of a balloting Box) shall be provided by and lodged at the said Board, into which shall be put in the Beginning (and not added to till the End) Fifty Tablets similar in all Respects, upon which  
the



the like Numbers One, Two, Three, Four, &c. to the Number of Fifty inclusive shall be marked.

Out of this Box every Person who shall undertake for one of the said Hundreds shall in his own Person, or by some Person by him appointed under his Hand and Seal (the said Earl himself doing in like manner with the rest) draw out one of the said Tablets, which Tablet or Tablets so drawn shall entitle the Person drawing the same to that Hundred, the Number whereof upon the said Survey shall correspond with the Number of the said Tablet—Which said Box, after every Drawing of Tablets as aforesaid, shall with the remaining undrawn Tablets inclosed) be carefully secured, and sealed with the Seals of the Secretary of the Board of Trade and of the said Earl.—And so with the like Precautions Time after Time as any drawing of Tablets shall be required, until the last of the said Tablets shall be drawn out, to the end that all and every Person (however distant in Place or Time of drawing, and without any Delay in proceeding to the Settlement of the Hundreds first drawn) may be certain of enjoying an equal Chance for attaining the most advantageous Lot.

\* But whereas it has been lately suggested that the said Island of *Saint John's* (hitherto estimated at *Two Millions* of Acres) doth not in fact contain more than *Five Hundred Thousand*, which is less by Three fourths than the Quantity hitherto supposed: And whereas in such Case, or in the Case that the said Island should be found to contain any Quantity considerably less than two Millions of Acres of Land as aforesaid, the said County, Hundreds, Manors, Freeholds, Town Burgages and

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\* All that follows in regard to *Dominique*, had its Rise from the only Objection made at first to this Plan, viz. That the Island of *Saint John's* was too small to afford sufficient Inducement to the Adventurers.—For which Reason the Earl was desired to withdraw his Application for the Isle of *Saint John's*, and recommended to ask for that of *Cape Breton*.



and Demesne Lands, must be all proportionably reduced in Extent and Value, and must nevertheless be still subject to the same Charges and Expence in the Settlement thereof, and therefore not an equal Object of Advantage to the Adventurers thereon; and whereas the Means to supply such Charges and Expence, and to accomplish such Advantage, must diminish in proportion as the Quantity of Land for each Undertaker may be decreased:

It is therefore farther proposed, that in either of the Cases above mentioned, and that the said Island should not amount to the said Extent of Two Millions of Acres of Land as aforesaid, *such Deficiency may be virtually supplied by a concurrent Grant* (to such Amount as may be thought convenient) *of a District of Land in the Island of Dominique*, to be held jointly with the same County and upon the same Tenure proportionally divided between the said Earl of the said County and the said Forty Capital Tenants in correspondent Lots, one of which to be inseparably annexed by Tenure to each of the said Hundreds of the Island of *Saint John's* respectively for ever, on condition of establishing farther a Number of White Inhabitants at the Rate of One to every Hundred Acres, to be granted in the said Island of *Dominique*.

And it is humbly hoped that this additional Demand may suggest not only the Means to insure the Settlement both of *North-America* and the Sugar Islands at one and the same Time in the most expeditious Manner, but likewise a certain and effectual Method to prevent all clandestine Trade to the *French Colonies* (practised *now as much* by our own Sugar Planters\*, and *hereafter likely to be practised more and with much greater Facility* by them than by the *North-Americans* themselves) without Violence, Complaint, or Expence to the Government of *Great Britain*.—Because from the Moment that such a Plan should be adopted (so far

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\* Or Merchants in those Parts,



far as it went) it would become the most important Object and undoubted Interest both of the Northern and Southern Plantations to co-operate in one common View of excluding the *French*, and confining the Commerce of both North and South reciprocally to themselves ; and though not possible (perhaps) to take place with respect to those Parts of *North-America* already settled, would (if *established only in a few new Counties such as this before described*) create a powerful Interest in that Part of the World, to detect, impede, and combat the clandestine Practices of the rest—Nor will the Principle of *selling* the Lands in the Sugar Islands (as said to be intended) clash with this Proposal, but may be easily accommodated to this Plan, and that Measure in some degree assisted and accelerated thereby.—For which Intent, first (without waiting till Commissioners may be sent, till the Bargains may be made, till the Reports may be compleated, till those Reports may be returned, till the same Reports may be confirmed at Home, till the consequential Grants may pass, till Preparations may be made afterwards by the Persons whose Terms shall be accepted, and till the People to be placed upon the Lands can be sent over) it is humbly desired that such Portion of Land as aforesaid in *Dominique*, so proposed to be annexed to the Tenures in the said Island of *Saint John's* may be granted immediately in the same Patent, with Condition that the said Lands shall be respectively subject to the Payment of any Sum or Sums which may become chargeable upon them proportionally according to the true Price which shall be hereafter found to have been given upon Sale of Lands of the like Value and Quality contiguous thereto, as the same may appear to be by the Report of the Commissioners appointed for the Sale of the Lands of the said Island, and their Declaration of such proportional Price transmitted upon Oath.—And secondly, as nothing can more obviously retard the Cultivation of those Lands (which require immediate Settlement) than a large and sudden Diminution of the Capital by means whereof such Settlement must be made ; especially in Undertakings of the most hazardous,  
expen-



expensive and precarious Nature, where many unforeseen Difficulties, Disappointments and Delays must necessarily arise; and farther as any given Sum (suppose One Hundred Thousand Pounds) received at once for the Purchase of the said Islands, cannot be estimated *at more than Four Thousand Pounds per Annum to the Public* (at Four *per Cent.* for ever). And whereas the Expenditure of the like Sum, if left in the Hands of the said Adventurers, to be employed in Addition to their remaining Capital (how great soever it may be) might purchase Three Thousand Negroes clear, and plant at least Ten Thousand Acres with Sugar, Indigo, Coffee, &c. in Seven Years—Which Ten Thousand Acres would ever after add a Produce to the Trade of *England* of at least Two Hundred Thousand Pounds *per Annum*, upon which Produce a Duty of Four and a half *per Cent.* as at *Barbadoes*, would raise (for the King's Civil List alone) a yearly Sum double to the Interest of the said Hundred Thousand Pounds, *besides a far greater yearly Revenue to the Public.*—It is farther proposed, that the Value of the Purchase of the said Lands in *Dominique* (so to be charged proportionally as aforesaid) may be assessed as a *Quit-Rent* upon the said Lands respectively to be converted into *Annuities* to a proportional Amount, to be sold as *Government Annuities* at Market; the Sum arising by such Sale thereof to be paid into the *Exchequer*, redeemable by the Proprietors of the same at Par, upon Six Months Notice given in the *Gazette*, at the Instance of the said Proprietors—Which Mode of raising the said Purchase Money will be to all Intents and Purposes of the same immediate Advantage to the Publick Revenue, but of far less Inconvenience in general to the Purchasers of the said Lands, extend the Undertakings, facilitate the Employment of small Capitals (otherwise in great measure excluded) prevent an outrageous Monopoly by the *West India* Planters, or Great Merchants, and by increasing the Number of Buyers, greatly enhance the Price.

*Which is nevertheless most humbly submitted,*

(Signed)

E G M O N T.



LIST of his Majesty's Land and Sea Officers, Merchants, and others, desirous of partaking of the Grant of the Island of Saint John's, pursuant to the Proposal of the Earl of Egmont, and engaged to assist his Lordship in settling that Island.

The Earl of Egmont and his 9 Children\*

Sea-Of- ficers	*	{	Admiral Knowles
	*		Admiral Sir Charles Saunders, <i>Member of Parliament</i>
			Admiral Townshend
	*		Admiral Sir George Rodney, <i>Member of Parliament</i>
			Commodore Spry
	*		Captain Gambier
	*	{	Captain Cosby
	*		Captain Palliser
	*		Captain Campbell
	*		Captain Derby
			Captain Shouldham
			Captain Bentinck, <i>Memb. of Parliament</i>
	*		Captain Byron
			Lieut. Dugdale
			Lieut. Allen
Applied since Memorial			Lieut. Candler
	*		General Townshend, <i>Member of Parl. now Lord Viscount Townshend.</i>
	*	{	General Monckton
	*		Colonel Carlton
			Captain Holland
			Captain Douglass
			Captain Jeremy Jones
			Lieut. Colonel Douglass
		{	Captain W. Douglas
			Captain Stair Douglas
			Captain George Maxwell
			Major Goram
			Major Skene
			Captain Ruffel
	*	{	General Oglethorpe

Merchants

\* The three eldest Sons of the Earl served in the late War in Germany, at the Conquests of Belleisle, Quebec, Martinique, the Havannah, &c. &c.



Merchants { Sir George Colebrooke, *Memb. of Parl.*  
 Mr. Stuart  
 Mr. Drummond  
 Mr. Cathcart  
 Mr. Richards, of America.

Merchants sent by the Board of Trade to Lord *Egmont* (as having applied prior to his Lordship) and who *desired to withdraw their Application by Letter to that Board*, dated the 8th of Jan. 1764. *and to be joined with the Earl.*

Merchants \* { Hutcheson Mure, Esq;  
 \* John Mill, Esq;  
 \* John Cathcart, Esq;  
 \* George Spense, Esq;

Twenty-one reduced Officers sent in like manner by the Board of Trade, and who requested his Lordship to be admitted in his Plan, and *signified the same by Letter to that Board*, dated 18th of Jan. 1764.

Officers \* { Colonel Charles Lee  
 from the \* Major Allan Macklean  
 Board of \* Francis Maclean, Esq;  
 Trade \* Lieut. Lauchlin Maclean  
 \* Lieut. Henry Maclean  
 \* Captain Walter Paterfon  
 \* Capt. John Gordon  
 \* Captain Peter Gordon  
 \* Mr. Robert Stuart  
 \* Lieut. John Stewart  
 \* Lieut. William Ridge  
 \* Captain Thomas Baillett  
 \* Lieut. Theodore Holtaine  
 \* Lieut. William Allanby  
 \* Lieut. Benjamin Dodd  
 \* Lieut. Alexander Kennedy  
 \* Lieut. Archibald Kennedy  
 \* Captain Lauchlin Maclean  
 \* Lieut. Robert Armstrong  
 \* Lieut. James Campbell  
 \* Henry Wauchope, Esq; *Mem. of Parl.*  
 Applied since \* Mr. Drummond, *Memb. of Parliament*  
 Memorial \* James Fortrey, Esq; *Byal Fen, Cambridge*  
 \* Hugh Finlay, Esq; *Postmaster at Quebec*  
 Applied



Applied since Memorial	{	Rev. Mr. Perceval, of Burton
		Rev. Mr. Kene Perceval
		Will Perceval, Esq; Counsel at Law
		John. Perceval, Esq; Lieut. of Marines
		Richard Purcell, Esq; of <i>Kanturk</i>
		James Purcell, Esq; of Ditto
		Philip Perceval, Esq; Temple-House
		Philip Stevens, Esq; <i>Memb. of Parliament</i>
		George Marsh, Esq; Com. of the Vict. Office
	{	James Biddlecombe, Esq; Com. Somers.
	{	Edmund Mason, Esq; Com. Navy

Besides several other Gentlemen which cannot be contained in this List for want of Room.

*N. B. Those marked thus (\*) are the Forty proposed by his Lordship to be admitted to Forty Hundreds, and the rest he has promised to comprehend in the Grant.*

*The Memorial presented in December 1763.*

*London,*





*London, 20th January, 1764.*

*Letter from Sir Charles Saunders, &c. to the Right Hon.  
Lords of Trade and Plantations.*

*My Lords,*

**B**EING desirous of partaking of the Benefit of His Majesty's Order in Council, for granting Lands in *America*, to such of His Land and Sea Officers, who shall apply for the same; and having perused and considered the Plan presented for your Consideration by the Earl of *Egmont*, for a Grant of the *Island of Saint John's*; we beg leave to acquaint Your Lordships of our entire Approbation of the same, and Desire of being admitted among the Number of those, who are solicitous of engaging with his Lordship for the Completion thereof; requesting that this Letter may be annexed to his Lordship's Plan referred to your Board for Consideration. We have the Honour to be,

*My Lords,*

*Your Lordships*

*most obedient Servants;*

*NB.* Admiral *Knowles*, and Captain *Campbell*, were not in the way to sign this, but are of the Number desirous of being included with Lord *Egmont*.

*Charles Saunders.  
G. B. Rodney.  
R. Spry.  
Hugh Palliser.  
Philips Cosby.  
J. Gambier.*

Right Honourable Lords of Trade and Plantations.



*My Lords,*

HAVING perused and considered the Plan proposed by the Earl of *Egmont*, for a Grant of the Island of *Saint John's*, and referred for your Lordships Consideration; we beg leave to assure your Lordships of our entire Concurrence with Lord *Egmont* therein, and Desire of being admitted among those solicitous of assisting in the Completion thereof; and request this Letter may be annexed to the said Plan, and that the proposal presented by Us to your Lordships may be withdrawn. We have the Honour to be,

*My Lords,*

*Your Lordships*

*most obedient Servants,*

18th Jan. 1764.  
*Board of Trade.*

(Signed)

*Hutcheson Mure.*  
*John Mill.*  
*George Spense.*  
*John Cathcart.*

Right Honourable Lords of Trade and Plantations.

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*My Lords,*

HAVING perused and considered the Plan proposed by the Earl of *Egmont*, for a Grant of the Island of *Saint John's*, and referred to your Lordships Consideration; we beg leave to assure your Lordships of our entire Concurrence with Lord *Egmont* therein; and Desire of being admitted among those solicitous of assisting in the Completion thereof; and request this Letter may be annexed to the said Plan, and that the Proposal presented



presented by Us to your Lordships may be withdrawn: We  
have the Honour to be,

*My Lords,*

*Your Lordships*

*most obedient Servants;*

18th Jan. 1764.

*Board of Trade;*

*Charles Lee.*

*Allan Maclean.*

*Francis Maclean.*

*Lauchlin Maclean.*

*Henry Maclean.*

*Walter Paterson.*

*John Gordon.*

*Peter Gordon.*

*Robert Stuart.*

*John Stewart.*

*William Ridge.*

*Thomas Bassett.*

*Theodore Holtaine.*

*William Allanby.*

*Benjamin Dodd.*

*Alexander Kennedy.*

*Archibald Kennedy.*

*Lauchlin Maclean.*

*Robert Armstrong.*

*James Campbell.*

Right Honourable Lords of Trade and Plantations.

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*The Report of the Board of Trade upon the Earl of  
Egmont's first Memorial.*

To the KING's most Excellent MAJESTY:

*May it please your Majesty,*

**I**N Obedience to Your Majesty's Commands, signified  
to us by a Letter from the Earl of *Halifax*, one of  
Your Majesty's principal Secretaries of State, we have  
taken into our Consideration, the Memorial presented to  
Your Majesty by the Earl of *Egmont*, desiring a Grant  
of the whole Island of *Saint John's*, in the Gulph of *Saint*



*Lawrence*, to be held in Fee of the Crown for ever, by the Tenure therein described; and (in case the said Island shall be found to contain a Quantity of Land considerably less than two Millions of Acres) further requesting a concurrent Grant, to such amount as may be thought convenient, of a District of Land in Your Majesty's Island of *Dominica*, to be held by the said Earl, jointly with the Island of *Saint John's*, upon the same Tenure; whereupon we beg leave humbly to represent to Your Majesty, \*

1. That we have examined his Lordship's Memorial with the greatest Care and Attention, and observe that the Constitution of Government and Plan of Settlement are formed with great Ability from an accurate Knowledge of the ancient Tenures of this Kingdom, which as they appear to have been calculated more to answer the Purposes of *Defence* and military Discipline, than to encourage those of Commerce and Agriculture, are we conceive, totally and fundamentally *adverse in their Principles to that System of Settlement and Tenure of Property, which have of late Years been adopted in the Colonies*, with so much Advantage to the Interests of this Kingdom, and therefore we do not see sufficient Reason to justify us in advising Your Majesty, to comply with his Lordship's Proposal.

2. In forming the Plans which we have had the Honour to lay before Your Majesty for the Settlement of, and for establishing Civil Government in Your Majesty's American Colonies, the Objects we have principally had in View, have been to advance and extend the Commerce and Navigation of this Kingdom, to preserve a due Dependance in the Colonies upon the Mother Country, and so to secure to them the full Enjoyment of every Civil and Religious Right, that Your Majesty's People of those Your distant Dominions may sensibly experience the Advantage of, and have all just Reason to value themselves upon, being *British* Subjects.

3. In

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\* *NB.* No one Circumstance of obnoxious Tenure in the Plan proposed, nor one of the Incidents to the feudal Tenure, which were taken away by the statute against the Court of Wards and Liveries 12<sup>th</sup> Car. 2.



3. In order effectually to attain these Objects, we have in the Plan of Settlement, recommended such a Mode of granting Lands, as, by a just Distribution of Property, to be held immediately under Your Majesty, proportioned to each Man's Ability, and unembarrassed with any burthensome or unnecessary Services, might encourage Industry, which is the Life and Spirit of Commerce; and in the Form of Government we have recommended a Constitution for the Colonies as nearly similar to that of this Kingdom as the Nature of the Case and the Subordination so necessary to the Welfare of both would permit.

4. In adopting this Policy, we have followed what appears to have been the almost invariable Sense and Practice of Government ever since the Surrender and Revocation of those Characters, which were formerly granted for the Settlement of *America*, and the Effect will best be judged of by the present flourishing State of the Colonies, and the Progress they have made in Cultivation and Commerce, compared with their Situation and Condition under those Charters; which though they were granted to Persons of high Rank and Consequence, and accompanied by Plans of Government, the Effect of the Study and Reading of the wisest and most learned Men; yet, being founded more in Speculation than Experience, did, in the Event, not only disappoint the sanguine Expectation of the Proprietors, but checked and obstructed the Settlement of the Country.

5. The Grant to the Lords Proprietors of *Carolina*, is a striking Example of the Inexpediency of such a Plan of Settlement, and we have taken the Liberty to single out the Instance \*, as we humbly conceive, it will be found to bear a great Similitude † to the Grant now requested by the Earl of *Egmont*, as well in respect to the

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\* Totally and fundamentally the Reverse,—That of *Carolina* was wholly aristocratical, arbitrary, and independent of *England*.—The Lands under perpetual Entail, hereditary, unalienable—The common People, they and their Descendants for ever bound to belong to the Glebe of the Lord where they were born,—as now in *Russia* and *Poland*.

The Difference between the Plan proposed and that of *Carolina*, will be seen with Astonishment, by looking into Mr. *Lock*'s 3d Volume, where the *Carolina* Constitutions are inserted at Length.

† *N. B.* The many Millions of Money and Thousands of Lives expended so lately in the settling, governing, maintaining and defending those Co-



Rank and Eminence of the Persons to whom it was made, as to the general Form and Constitution of the Government, and the distinguished Wisdom and Ability of the Person, by whom it is said to have been planned: and yet notwithstanding all these Advantages and the reiterated Endeavours of the Lords Proprietors, little Progress was made in the Execution of it, much Disturbance and Confusion arose, and the valuable Lands comprehended within that Grant, remained almost an useless Waste to the Publick, until upon the Property of them being re-vested in the Crown at the publick Expence, Your Majesty's Royal Grandfather laid the Foundation of those Colonies, which being established upon different Principles, and a different Plan\*, are become as flourishing as almost any in *British America*.

6. We have not thought † *proper to take the Opinion of your Majesty's Servants in the Law* upon the Question, whether Your Majesty can legally make the Grant desired by the Earl of *Egmont*, because we cannot for the foregoing Considerations, think it expedient, either in a political or commercial Light, for Your Majesty to

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lonies by the public Purse and Blood of *Britain*, sufficiently manifest the certain Effects of Establishments void of the principles either of *Subordination* or *Defence*.—And the Efforts made by the *French* Inhabitants of *Canada*, (alone and unsupported) against all the Colonies of *Britain* (backed by all the Powers of *Britain* besides) shew what is possible to be done by the Force of those *two Principles*, well applied and understood.

\* Other Reasons may be assigned, why *Carolina* is now, in 1764, in a more flourishing Condition than *Carolina* was then in 1699.—Tho' still the weakest, the most defenceless Province, (its Member *Georgia* excepted) in all *North America*.

1. Because 65 Years have elapsed since that Time, during which all the other Northern Colonies have improved in a far greater Degree, and the Overflowings of the People in the Proprietary and Charter Governments, have in a manner forced the Population of the rest.

2. Because *Carolina* has since fortunately fallen upon the Growth of two Products of unexpected Advantage, *viz.* *Indigo* and *Rice*.

3. Because the Parliament of *Britain* has indulged *Carolina* in an extraordinary manner by Bounties, Liberties of Exportation, taking off Restraints imposed heretofore by the Act of Navigation.

4. Because the new Province of *Georgia* has been established since that Time, as a Barrier between them and the *Spaniards*, settled and long maintained, by Land and Sea Forces at a vast Expence to *Britain*.

† After this Insinuation that the Plan proposed was illegal, the Earl of *Egmont* proposed, that the Attorney and Solicitor-General should be called to deliver their Opinion upon the Legality of it before the Council.—But the Request was not obtained.



to comply with his Lordship's Proposals; and as Your Majesty has been pleased to annex the Island of *Saint John* to Your Province of *Nova Scotia*, we humbly recommend the settling it upon the Plan, and under the Regulations approved of by Your Majesty, for the Settlement of that Province in general.

*All which is most humbly submitted*

*Whitehall,*  
13 Feb. 1764.

*Soame Fenyns.*  
*Orwell.*

*Hillsborough.*  
*Ed. Eliot.*  
*Ed. Bacon.*  
*Geo. Rice.*  
*Bamber Gascoyne.*

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To the KING's Most Excellent MAJESTY,

*The (second) Memorial of John Earl of Egmont †.*

*Most humbly sheweth,*

**T**HAT the said Earl did, some Time since, present to your Majesty a Memorial, praying a Grant of the whole Island of *Saint John's* in the Gulph of *Saint Lawrence*, with all Rights, Royalties, Privileges, and Appurtenances whatsoever thereto belonging; as likewise of certain Tenures for finding Twelve Hundred Men, at all Times ready to defend the same; together with Powers to appoint all Civil Officers, and with other Powers of Civil Jurisdiction within the said Island, under Restrictions therein expressed; containing also other Conditions, by which the said Earl engaged, after receiving the said Island, surveyed and set out by your Majesty's Surveyor into Fifty equal Lots or Hundreds, and into various farther Subdivisions, as mentioned in the said Plans, to grant away by Lot in Fee for ever,

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† No official Answer was returned to this second Memorial.



forty of the said fifty Hundreds to forty other Persons, reserving no greater or further Consideration to himself, for each of the said Grants, than ten Shillings Sterling *per Ann.* for every thousand Acres (the Payment thereof not to commence till ten Years after the passing the said Grant) the other ten Lots to be reserved to the said Earl, for the Use of himself and his nine Children; with many other Conditions of Settlement therein particularly set forth, as Relation being had to the said Proposal will at large appear.

That Your Majesty was pleased, not long after the said Memorial was presented, to refer the same to the Board of Trade, to report their Opinion thereupon.

That Your Majesty's Board of Trade have, accordingly, made their Report to Your Majesty on the said Memorial, and therein advised Your Majesty not to grant the said Island of *Saint John's* to the said Earl, pursuant to the Plan by him so proposed.

But whereas the Reasons assigned in the said Report for their said Advice to Your Majesty, appear to be solely confined to Doubts expressed upon the New, and, as they apprehend, improper Powers with respect to the said Tenure and peculiar Jurisdiction, requested by the said Earl in the said above-mentioned Proposal; and the said Report containing no other Objection to the said Grant, as to the Nature or Conditions thereof;

Your Majesty's Memorialist therefore most humbly prays Your Majesty to order a Grant in Fee, to be made to him, the said Earl (comprehending pursuant to the Divisions and Sub-divisions, as in the former Plan, all the Land and Sea Officers, Merchants, and others, who have concurred with him in the said Proposal, and engaged to assist him in compleating the Settlement thereof) of the said Island of *Saint John's*, with all Rights, Royalties, Privileges, Franchises, and Appurtenances, which may lawfully attend an English Manor: To be held in free and common Soccage, and not in Capite, as of Your Majesty's Honour of Hampton Court, in the County of Middlesex, upon the same Terms of Quit-Rent, and the other Conditions contained in the before-mentioned Proposal, such only excepted as relate to the  
Tenure



Tenure and extraordinary Jurisdiction represented against  
in the said Report \*.

*Which is nevertheless most humbly submitted.*

(Signed)

E G M O N T.

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To the KING's Most Excellent MAJESTY.

*The (third) Memorial of John Earl of Egmont, on Behalf  
of himself and his Nine Children, and of a great Number  
of Land and Sea Officers, and other Persons of Distinc-  
tion, whose Names are inserted on the other Side hereof,  
Humbly sheweth,*

**T**HAT the said Earl, having engaged and asso-  
ciated himself with many Persons of Distinction,  
Officers of Rank in the Navy and Army, and others,  
whose Names are inserted on the other Side hereof, to  
undertake the compleat Settlement of the Island of *Saint  
John's* in the Gulph of *Saint Laurence*, in the Province of  
*Nova Scotia*, Most humbly prays a Grant in Fee of the said  
Island, with its Appurtenances, to him the said Earl, and  
the other Adventurers comprized in the List before-men-  
tioned; the Land of the said Island, to be surveyed and  
divided by Your Majesty's Surveyor, and to be parcelled  
out by him the said Earl, between the said Earl (for  
himself and his nine Children) and the other intended  
Adventurers, in such Proportions and Divisions, and  
upon such Conditions as have been already declared and  
agreed, or may be hereafter farther declared and agreed  
between them and the said Earl; *to be held of Your  
Majesty in free and common Soccage*, and as Part of  
Your Majesty's Province of *Nova Scotia*, on such Terms  
of Settlement, and Payment of Quit-Rent, after ten  
Years, to Your Majesty, as Your Majesty shall think  
fit: *provided the same be no more burthensome, or take place  
sooner*

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\* The Earl farther explained this by declaring, that he desired only  
the Privileges annexed to the Manor of *Stoke Curcy*, (one of his own Ma-  
nors in the County of *Somerset*) and the Jurisdiction exercised in any one  
of the three hundreds, which he now enjoys in the same County.



*Sooner than required by any other Grant already made in Your Majesty's said Province of Nova Scotia.*

*All which is nevertheless most humbly submitted.*

**LIST** of his Majesty's Land and Sea Officers, Merchants, and others, desirous of partaking of the Grant of the Island of Saint John's, pursuant to the Proposal of the Earl of Egmont, and engaged to assist his Lordship in settling that Island.

The Earl of Egmont and his 9 Children	
Sea Officers	[ Admiral Knowles
	Admiral Sir Charles Saunders, <i>Member of Parliament</i>
	Admiral Townshend
	Admiral Sir George Rodney, <i>Member of Parliament</i>
	Commodore Spry
	Captain Gambier
	Captain Cosby
	Captain Palliser
	Captain Campbell
	Captain Derby
	Captain Shouldham
	Captain Bentinck, <i>Memb. of Parliament</i>
	Captain Byron
	Lieut. Dugdale
	Lieut. Allen
	Lieut. Candler
	General Townshend, <i>Member of Parl.</i>
	[ General Monckton
	General Oglethorpe
Applied since Memorial	Colonel Carlton
	Captain Holland
	Captain Douglass
	Captain Jeremy Jones
	[ Lieut. Colonel Douglass
	Captain W. Douglas
	Captain Stair Douglas
	Captain George Maxwell
	Major Goram
	Major Skene
	[ Captain Ruffel

Merchants



Merchants { Sir George Colebrooke, *Memb. of Parl.*  
 Mr. Stuart  
 Mr. Drummond  
 Mr. Cathcart  
 Mr. Richards, of America.

Merchants sent by the Board of Trade to Lord *Egmont* (as having applied prior to his Lordship) and who desired to withdraw their Application by Letter to that Board, dated 8th of *Jan.* 1764.

Merchants { Hutcheson Mure, Esq;  
 John Mill, Esq;  
 John Cathcart, Esq;  
 John Spense, Esq;

Twenty-one reduced Officers sent in like manner by the Board of Trade, and who requested his Lordship to be admitted in his Plan, and signified the same by Letter to that Board, dated 18th of *Jan.* 1764.

Officers from the Board of Trade { Colonel Charles Lee  
 Major Allan Macklean  
 Francis Maclean, Esq;  
 Lieut. Lauchlin Maclean  
 Captain Walter Paterson  
 Lieut. Henry Maclean  
 Capt. John Gordon  
 Captain Peter Gordon  
 Mr. Robert Stuart  
 Lieut. John Stewart  
 Lieut. William Ridge  
 Captain Thomas Bassett  
 Lieut. Theodore Holtaine  
 Lieut. William Allanby  
 Lieut. Benjamin Dodd  
 Lieut. Alexander Kennedy  
 Lieut. Archibald Kennedy  
 Captain Lauchlin Maclean  
 Lieut. Robert Armstrong  
 Lieut. James Campbell

Applied since Memorial { Henry Wauchope, Esq; *Mem. of Parl.*  
 Mr. Drummond, *Memb. of Parliament*  
 James Fortrey, Esq; *Byal Fcn, Cambridge*  
 Hugh Finlay, Esq; *Postmaster at Quebec*  
 Applied



Applied  
since  
Memorial

{ Rev. Mr. Perceval, of Burton  
Rev. Mr. Kene Perceval  
Will. Perceval, Esq; Counsel at Law  
Will. Perceval, Esq; Lieut. of Marines  
Richard Purcell, Esq; of *Kanture*  
James Purcell, Esq; of Ditto  
Philip Perceval, Esq; Temple-House  
Philip Stevens, Esq; *Memb. of Parliament*  
George Marsh, Esq; Com. Victualling  
Edmund Mason, Esq; Com. Navy  
James Biddlecombe, Esq;

Besides several Members of Parliament, and other Gentlemen, whose Names, for want of Room, cannot be contained in this List.

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*The Report of the Board of Trade, in consequence of the Earl of Egmont's third Memorial to his Majesty.*

To the KING's Most Excellent MAJESTY \*.

*May it please Your Majesty,*

IN Obedience to Your Majesty's Commands, signified to us by Your Majesty's Order in Council, bearing Date the 9th Day of this Month, we have taken into Consideration the Memorial of *John Earl of Egmont*, on behalf of himself and his nine Children, and of a great Number of Land and Sea Officers, a List of whose Names is thereunto annexed, humbly praying for a Grant in Fee of the Island of *Saint John*, in the Gulph of *Saint Laurence*, and in the Province of *Nova Scotia*, upon the Terms and Conditions therein proposed. Whereupon we beg Leave humbly to represent to Your Majesty,

That we are of Opinion it may be highly conducive to the speedy Cultivation of Your Majesty's *American Dominions*, that the Nobility and other Persons of Rank and Distinction in this Country should take the Lead, and shew the Example in the undertaking and carrying into Execution the Settlement thereof. And that all due Encouragement should be given to Officers of Your Majesty's Fleet and Army, to whose distinguished Bravery and Conduct this Kingdom is so much indebted for the Acquisitions made in the late War.

We

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\* Second Report of Lords of Trade, &c.



We therefore humbly recommend to Your Majesty, that a proper *Distribution be made of Lands in this Island to the said Earl, for himself and Family, and to the other Memorialists, conformable to such Divisions and Sub-divisions of the said Island as we shall humbly recommend to your Majesty; and in such Proportions as may be suited to the particular Purposes and Intentions of the said several Persons, so far as the same shall be found to be consistent with those Principles of Settlement, Cultivation and Government, which have been adopted for many Years past, and are founded upon the Experience of former Times.*

To this End we humbly beg Leave to lay before Your Majesty \* *the Plan for the Division and Allotment of the Lands in this Island, which we intended to submit to your Majesty, after having taken into our Consideration the Proposals of several Officers, Merchants, and others, for making Settlements therein; which Proposals were withdrawn, upon the Earl of Egmont's having made his first Application to Your Majesty.*

The Propositions contained in this Plan were,

That the said Island should be forthwith surveyed by Your Majesty's Surveyor for the Northern District.

That it should be divided into Counties of five hundred thousand Acres each, so near as natural and proper Boundaries would admit.

That the said Counties should be laid out in like manner into Parishes of one hundred thousand Acres each.

That each Parish should be laid out in like manner into Townships of twenty thousand Acres each.

That each County, Parish, and Township, should be laid out in like manner as to partake, as much as possible, of the natural Advantages of the Country, especially those which arise from the Sea Coasts, and from the Sides of navigable Rivers.

That there should be laid out in each County a sufficient Quantity of Land for the Scite and Accommodation of a Town, in the best and most commodious Part of the said County for the Situation thereof; and that

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\* The Memorialists were never informed of any such *Plan intended by the Board of Trade, till they obtained a Copy of this Report, after the Earl's third and last Memorial was presented.*



that there should be reserved, in each Parish, a proper Scite for a Church, and a proper Number of Acres near the same for a Glebe for a Minister.

As this Plan is, with great Propriety, applicable to the Proposals now under Consideration, and does, *we conceive, equally answer to the Views and Intentions of the Memorialists*, we humbly beg leave to recommend, that it may be adopted upon the present Occasion, and that when *the Survey we have proposed, with the several Divisions and Subdivisions*, shall have been made and returned to his Majesty's Governor of Nova Scotia, regular Grants of such Divisions and Subdivisions be made under the Seal of the Province, to the said Earl and his Family, and to each of the other Memorialists, under the same Regulations, and Conditions of Cultivation and Settlement as are prescribed by Your Majesty's Instructions in respect to Grants of Lands in other Parts of the said Province, *due Regard being had to the Intentions and Abilities of the several Memorialists, as well as to Your Majesty's Proclamation of the 7th of October last*; but we would humbly recommend, that (except in the Case of the said Earl, who proposes, not only for himself, but for his nine Children) no one Person should possess more, under such Grants, than *twenty thousand Acres*, and that *each should have a separate Grant*; for we beg Leave to observe, that we do not see that any Advantage whatsoever can arise to the Public, or to the several Adventurers, by leaving the parcelling out of the Lands to the said Earl; but, on the contrary, Experience has shewn, in the Cases of the great and exorbitant Patents of Lands in the Colonies, particularly in *New-York*, that the making such Grants in joint Tenancy and Co-partnership, and leaving the future Distribution to be made by Deeds of Partition, have been ever found to be attended with great Inconveniencies and Obstruction to Settlement, with endless Litigations and Disputes amongst the Proprietors, and have made it difficult to ascertain, and impossible to collect, the Quit-Rents reserved to the Crown.

With regard to the Grant Your Majesty shall think fit to make to the Earl of Egmont, we humbly submit, whether, in consideration of his Lordship's extensive De-  
signs,



*signs, and his Abilities and Zeal to carry them into Execution, and that his Lordship proposes, not only for himself, but for his nine Children, Your Majesty may not be pleased to grant to his Lordship One whole Parish in the said Island, for himself and his Family; but we beg leave to observe to Your Majesty, that we do by no means recommend to Your Majesty the making Grants of so large Extent in general.*

*If therefore, what we have proposed shall be approved by Your Majesty, and the several Memorialists shall be willing to accept Grants in the Method we have recommended, we would further propose, that in order to prevent any Delay in carrying the above-mentioned Plan into Execution, and to the End that Your Majesty's Governor may be enabled, in making the Grants, to execute, with Exactness and Precision, Your Majesty's Royal Intention, the Memorialists should severally make their Proposals to this Board, that the proper Directions may be transmitted to Your Majesty's said Governor, for making out Grants proportioned to the Intentions and Abilities of the said several Memorialists, as aforesaid.*

*As to the Conditions which the said Earl mentions to have been already declared and agreed upon between his Lordship and the other Memorialists, we beg leave to represent to Your Majesty, that every Condition besides those of Cultivation and Settlement, which Your Majesty usually inserts in Grants of Land, will tend, as we apprehend, only to embarrass the Settlers, and to delay and discourage, or altogether prevent the Settlements.*

*We have received no official Information relating to these Conditions; but if they are similar to, or partake of the Nature of those which his Lordship proposed in his first Memorial to Your Majesty for the Island of Saint John, we beg leave to represent our Opinion, that the Introduction of such Conditions of Settlement and Tenure is entirely impolitick, inexpedient, and anti-commercial.*

*The Earl of Egmont proposes, that the several intended Grantees of the Island should come under the same Conditions of Quit-Rent to Your Majesty, as are usual in the continental Part of Your Majesty's Province of Nova Scotia. Whereupon we think it our Duty to state*

*to*



to Your Majesty, that as *this Island is particularly valuable, from its Soil as well as Situation*, we had it in our *Intention* before his Lordship's Proposals were made, to raise for Your Majesty an *higher Revenue of Quit-Rent* from this Island than from the other Parts of Your Majesty's Province of *Nova Scotia*; and that *certain Merchants had actually agreed to accept Grants of Townships at the Rate of Three Shillings per hundred Acres*, which Addition of one Shilling per hundred Acres, will make a Difference in the Quit-Rents of the whole Island of a Sum not less than *One thousand two hundred and fifty Pounds per Annum*. And we have further to submit to Your Majesty upon this Head, how far it may be reasonable that the cleared Lands of the said Island, consisting, as we are informed, of many thousand Acres in the most fertile Parts, should be *exempted from Quit-Rent for ten Years*, the Policy of which Encouragement is applicable only to such Lands as are not cleared at the Time of granting.

If therefore, upon the whole, Your Majesty shall be pleased to direct, that Lands in the said Island should be granted in Townships of twenty thousand Acres, and such Sub-divisions thereof as may be found convenient, we have nothing further to recommend to Your Majesty, but that out of the said Grants *there may be reserved to Your Majesty*, according to the Instructions given to Your Majesty's Governor of *Nova Scotia*, all *Mines of Gold, Silver, Copper, Lead, and Coals*, and a sufficient Breadth on the Sea Coast, from High-water Mark, for the free Accommodation of all Your Majesty's Subjects in carrying on the Fisheries, for which the Coasts of this Island are so advantageously situated; together with proper Accommodations for the Fishery of Sea Cows, which we understand abound on some Parts of the Coast of the said Island \*.

*Which is most humbly submitted.*

Whitehall, March 23, 1764.

Hillsborough,  
Soame Fenyns,  
Ed. Eliot,  
Geo. Rice,  
Orwell.

\* This Report, together with all the preceding Papers, was referred by the King to a Committee of Council,



*Observations on the Report of the Board of Trade in consequence of the Earl of Egmont's third Memorial, transmitted by the said Earl to the Committee of Council.*

To the Right Honourable the LORDS of the Committee of Council, for Plantation Affairs.

*May it please your Lordships,*

HIS Majesty having been pleased to refer to your Lordships Consideration, a Report made by the Lords Commissioners of Trade and Plantations, dated the 23 *March*, 1764. upon the Memorial of the Earl of *Egmont*, to his Majesty in Council, praying a Grant of the Island of *St. John's*, in the Gulph of *St. Lawrence*;

The said Earl of *Egmont*, begs Leave to lay before your Lordships the following Observations on the said Report.

Their Lordships begin by declaring their Approbation of those Principles, upon which the said Memorials were founded, *viz.* “ That it may be highly conducive to the  
“ speedy Cultivation of *America*, if the Nobility, and  
“ other Persons of Rank and Distinction should take the  
“ Lead therein—That all due Encouragement should be  
“ given to the Officers of His Majesty's Fleet and Army,  
“ by whose distinguished Bravery and Conduct the Na-  
“ tion is indebted for the said Acquisitions ;—And that  
“ their Lordships have espoused Sentiments of the Utili-  
“ ty of a regular Division and Subdivision of Lands in  
“ the said Island.”

But, notwithstanding this favourable Introduction, the said Earl observes on Behalf of himself, and the intended Joint-adventurers with him, that no one succeeding Paragraph appears to correspond with the Principles so at first laid down in the said Report; that every single Suggestion subsequent to the said Introduction leads to a contrary Purpose; and that their Lordships recommend, and propose Terms of Settlement only, on which no Persons can be expected to embark, but such as stand in the same Class with the low and unhappy People, *exported* and *transported*, from Time to Time, for Fifteen Years last past, into those Parts. Who (though *carried, fed, cloathed, paid* and *ordered* for many Years by this Government at a public



Charge, of little less than £.600,000 *Sterling*; though encouraged by the vast Expenditure of public Money, upon the public Works of Docks, Yards and Fortifications, the Fleets, and regular Forces of *Great-Britain*, occasionally employed there; and by constant Sums still Yearly remitted to support the Magistracy, and the Troops stationed in that Province;) are not supposed to amount (including the new Settlers of all kinds, who have since been introduced) to more than Thirteen, or Fourteen hundred Families at this Day—The principal and manifest Cause whereof is this, that they have wanted *that Order, and that Protection, that Care and individual Patronage* to which they might have been *respectively* entitled, and of which they might have been *assured*, under some Establishment similar to that proposed by the said Earl.

Their Lordships insist upon the following Particulars, amounting to a *Counter-project* for accomplishing the Settlement of the said Island.

*First*, “ That the said Earl, and those engaged with  
 “ him, shall have no Lands, but what their Lordships  
 “ themselves shall virtually please to distribute among  
 “ them—That their Lordships shall virtually retain a  
 “ Power to admit as many more to Shares in the said  
 “ Island, as they shall think convenient, and as they  
 “ shall recommend; and that the said Distribution shall  
 “ be such only as shall suit with the Purposes, and In-  
 “ tentions, of the said Parties, of which Purposes and  
 “ Intentions their Lordships virtually reserve the Judg-  
 “ ment to themselves.”

By each of which (or at least by all these Propositions combined together,) their Lordships totally subvert at once the Fundamentals, upon which the said Earl, and his Coadventurers, entered into this Undertaking; in which they do not imagine or pretend to proceed, unless the whole Island may be granted to the said Earl, to be distributed by him in Proportions, and on Conditions, (officially known to their Lordships by the said Earl's first Memorial, to which his subsequent Memorials all refer); for in any other Case they must depend upon the *Good will, or Prejudice, the Caprice, or concealed,*  
*private,*



*private, or disappointed Interest of they know not whom, who may happen to be called in to advise their Lordships, as to the Quantity, Quality, or Situation of these Lands, which are to be allotted to them, and which by this means may be so determined, that possibly not one valuable Acre, may fall to their respective Shares; a Point of the greatest Importance to them, for many Reasons not necessary farther to explain.—Nor can they tell, what Associates may intrude upon them, who from the very Mode of Settlement proposed by their Lordships, and from many Circumstances, which have occurred in the Course of this Application, must be more likely to introduce immediate Quarrel, and Confusion, than to establish that Union, and Order, in the said Island, upon which the said Earl, and they who are joined with him, found their sole Expectations of Success.*

*Secondly, Their Lordships insist; “ That all the Grants  
“ in the said Island shall be made in such regular Course;  
“ under such Regulations, upon such Terms and Conditions  
“ of Settlement and Cultivation only, as have been already  
“ in use in Nova Scotia; and such only as their Lord-  
“ ships think consistent with the Principles of Government,  
“ which their Lordships say have been experienced many  
“ Years in the said Province; which likewise they farther  
“ say, it is their continued Intention to adopt.”—This Go-  
vernment is known to stand upon Commission and Instruc-  
tion only—to be destitute of every Mode of Order or De-  
fence, as proposed by the said Earl—to be void in a great  
Degree of regular Justice in the inferior Districts, admi-  
nistered according to the English Constitution—to be  
changeable at will as often as new Instructions shall be  
sent over to the Governor, unknown to the People there—  
and covered in such manner by the sacred Name of His  
Majesty's Prerogative, that they can rarely come to the  
Knowledge of the Publick here:—In consequence whereof  
already many extraordinary Laws have obtained:—As  
for Instance, that a Grantee shall not alienate to another  
Person for the first Ten Years;—That Egress from  
the said Province shall not be suffered without Licence  
from the Governor of Nova Scotia—and then not with-  
out Ten Days Notice posted up of the Parties Inten-  
tions:*



tions:—A Protection from Debt to those who reside there, at some times general at others partial, &c. &c. &c. with Power to make or repeal Laws of the like Nature at Will and Pleasure.—All which Laws and Power seem so distant from the Notions of Liberty conceived in *Britain*, and so repugnant in their Nature to the making of any Settlement at all, *except by the most indigent and wretched of Mankind*, and by the *actual Occupiers of the Land themselves*, that the said Earl is obliged to declare, *this a kind of Government*, (however highly applauded, and approved, by their Lordships, both in their first and second Report,) under which neither he nor the Coadventurers with him, are willing or able to make any Attempt, and such as *he*, and *they*, humbly apprehend, no Person of *Rank or Distinction*, or any Man of *any Property at all*, ever did, or ever will risque his Fortune upon; excepting those only who have been, or may be induced thereto, by *Temptation of present Employments, Expectation of future Favor, or other Views of secret, and collateral Advantage*.

Thirdly, The Board of Trade insist, “ That no Grant  
 “ shall be made to the said Earl and his joint Adven-  
 “ turers, ’till the Survey shall be compleated.—2. That  
 “ this Survey must be returned in the first Instance to  
 “ the Governor of *Nova Scotia*.—3. That the said Earl  
 “ and each of the Adventurers shall severally apply to  
 “ their Lordships for *his*, and *their* respective Grants.—  
 “ 4. That the said Grants shall be distinct and separate  
 “ to each.—5. That no Grant shall be made out ’till  
 “ their Lordships shall have sent their Instructions to  
 “ the said Governor relative thereto.—6. That the said  
 “ Grants shall *only* be made out by the said Governor  
 “ in *Nova Scotia*, and under the Great Seal of the Pro-  
 “ vince *only*; *all which their Lordships recommend to be*  
 “ *done, in order to prevent Delay, and to execute the said*  
 “ *Grants with Precision.*” \*

But

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\* N. B. The Fees for passing the Grants in the manner here proposed, (as well those paid here in *England*, as in *America*) would amount to a Sum scarce credible.—and take out of the Pockets of the Adventurers what would otherwise go very far towards enabling them, effectually to secure the Possession, and ensure the Settlement of the whole Island to the Crown of *England*, in two Years Time.



But the said Earl, and they who are engaged with him, foreseeing Effects totally the reverse of these, do unanimously profess, that they can neither *wait the Event*, or *trust to the Mode* of this Proceeding; because by these means the Time must be prolonged to some distant Period, which they know not how to calculate; nor can they venture to take any preparatory Steps *in the Beginning*, because they cannot be sure, that they shall not be defeated of all their Expectations *in the End*.

The Instructions to the Governors at the Outset may be to them utterly unknown, and the Turn which may be given to those Instructions by the Governor, in the wording of each respective Grant uncertain.—Whatever Additions or Omissions may happen to be made (whether by Error or Design) in such Grants, can be neither attended to by the respective Parties, or represented against, or rectified, at the Time of their being passed.—A Misnomer of the Person, or Mistake in the Description of the Land may be fatal, and may admit of no Remedy in the Time to come.—And finally the said Grants, however fairly or perfectly made according to their Lordships Plan, cannot be sufficiently depended upon in future by any Person, who shall settle in consequence thereof; subject as they must ever be under that Government (in a great measure) to *the Construction in Law and Equity of the Governor himself*; and at all Times liable to be *hampered* in their Effect by some *new Instructions* transmitted from their Lordships or their Successors at that Board.

*Fourthly*, The Board of Trade are pleased to say,  
 “ *With regard to the Officers of the Fleet and Army,*  
 “ *that they propose to make their Grants to them with*  
 “ *a due Regard to His Majesty's Proclamation, of the*  
 “ *7th October last, which intitled*

- “ A Field-Officer to 5000 Acres,
- “ A Captain, to 3000 Acres,
- “ A Subaltern or Staff-Officer, to 2000 Acres,
- “ A Non Commission-Officer, to 200 Acres, and
- “ A private Man to 50 Acres only.”——

By which their Lordships *lay in their Claim* (if they do not absolutely *declare their Intention*) to defeat all the



Conditions made between the said Earl, and every one Officer who has engaged with him upon Expectations of a far greater Extent, particularly all those Twenty Half-pay Officers, who (as they affirm) were encouraged *even by the Board of Trade themselves*, so long ago as the Month of *December* last, notwithstanding that Proclamation, (before they engaged with the Earl) to expect *within a few Days*, Grants of 20,000 Acres, each; *without Inquiry into their Abilities, or Intentions at that Time*; *without any Verification of their Names*; or even *Proof required of their Existence*; and sent under these Circumstances by their Lordships, to parley with the said Earl, upon the Subject of his first Memorial. To these Terms therefore if the said Earl should submit, he must surrender up the Interest of every one of those Officers, with whom he was *first concerned at the Recommendation of their Lordships*, and with whom he is *now engaged in Honour*, as they have acted (notwithstanding the Difficulties and Delay, which they have since encountered) *a steady, disinterested and honourable Part by him*.

*Fifthly*, “ With respect to the *Merchants* (who likewise so long ago as *December* last, before they engaged with the said Earl, were promised (as they affirm also) all the Land they desired, and to be dispatched in a few Days, but have been kept ever since in a painful and prejudicial Suspence; their Lordships likewise avow their Intentions to grant but 20,000 Acres, to the most eminent of them, with a Power reserved (in case they should so incline) to abridge all, or any of them also, by Virtue of these Words, *according to their Abilities and Intentions* ;”—These likewise the Earl must as *unworthily* desert by consenting to leave it in the Option of the Board of Trade, to defeat those Conditions entered into between the said Earl and them, and *which no Delay, Vexation, or other Inconveniencies, nor even the Doubt of a total Disappointment from continuing honourably united with the said Earl*, have induced any one of them to depart from.

*Sixthly*, The Marks of Attention expressed by their Lordships to the said Earl, being of a private Nature, neither require or admit of any Comment here, farther than



than that they stand connected with these three Facts —  
 “ 1. That their Lordships have advised, a Grant of  
 “ a Parish, for the Earl and his Nine Children,  
 “ which gives a Proportion only of Ten Thousand  
 “ Acres to each of them; conjoining at the same  
 “ Time the Word *Exorbitant* thereto.—2. That their  
 “ Lordships now allow *Twenty thousand* Acres to other  
 “ Persons. And, 3. That Messrs. *Paplay*, \**Van Stumple*,  
 “ and *Mac Knutt*, with many more of like Condition  
 “ have respectively obtained Concessions (not long since)  
 “ from *Twenty thousand* to *Two hundred thousand*  
 “ Acres each.”—The said Earl therefore waves any  
 Notice upon what their Lordships have thought fit to  
 introduce personally in regard to *himself*, or *his Fa-*  
*mily*, whose private Interests ought to carry no Weight  
 in this Case; and for this Reason has nothing to beg of  
 His Majesty in this Respect, but that he will be gra-  
 ciously pleased to consider *him* and *them* in this Grant,  
 so far only as the Consequence of his *Example*, and the  
*Treatment* he shall receive, may influence the future  
 Settlement of His Majesty’s *American Dominions*—so far  
 as it may tend to invite, or discourage other Persons  
 of Rank and Distinction in taking the Lead in those  
 Undertakings (which the Board of Trade themselves  
 profess to recommend)—and so far as it may affect the  
 Constitution of His Majesty’s Government at home as  
 well as there, by the Extension or Contraction of *level-*  
*ling Principles* in this vast and growing Empire; which  
 Principles almost every Mode of Constitution hitherto  
 adopted therein, seems *directly*, or *indirectly*, *inattentive-*  
*ly*, or *industriously*, and (without the timely Intervention  
 of some System similar to that proposed by the said  
 Earl) *irretrievably* calculated to promote.

*Seventhly*, Their Lordships toward the latter End of  
 this Report observe, “ That the said Earl has proposed

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“ that

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\* This *Van Stumple*, is the Person who since these Observations were  
 delivered in, has, by vain Promises, brought over, and deluded those un-  
 happy *German Families*, whose cruel Fate, and unparalleled Distresses are  
 at this Time the Topic of public Conversation in all Parts of the King-  
 dom; and such are the Men, who have been, and must chiefly if not solely  
 be depended on, for the Settlement of our new Conquests, should the  
 present Mode of Grants be continued.



“ that himself and the others concerned with him, may  
 “ come under the same Conditions of Quit-Rent to His  
 “ Majesty, as are usual in the Continental Parts of His  
 “ Majesty’s Province of *Nova Scotia* :” which (tho’ the  
 said Earl will not take the Liberty to suppose, or means  
 to call a *wilful*) he may beg Leave to pronounce a *won-*  
*derful* Mistake ; since neither the Words of his last or of  
 any other Memorial presented by him, say or import that  
 Request.—The Words to which their Lordships give  
 this Turn are these, “ That the said Earl, &c. desires  
 “ the said Island of *Saint John’s*, to hold under Terms  
 “ as to Quit-Rent to Your Majesty, not more burthen-  
 “ some than in any former Grant in *Nova Scotia* ;”  
 which directly prays, that the Quit-Rent to be charged  
 upon the said Earl may be charged *at the least as low, if*  
*not lower* than in any other preceding Grant ; whereas  
 the Words substituted by their Lordships do directly  
 imply, that the Quit-Rent should be *as high as any*  
*lately, or usually imposed there, which makes a total*  
*Difference.*

The Earl’s Intention apparently was, in the Mode of  
 his Expression, to leave it open to his Majesty, still to  
 grant him the said Island of *Saint John’s*, upon the same  
*Terms of Quit-Rent as proposed in his first Memorial* (for  
 which he submits, whether he has not given *unanswer-*  
*able* Reasons, respecting even His Majesty’s greater *Ad-*  
*vantage, as well as the secure Settlement of the said*  
*Island*) ; whereas the manifest Design of their Lordships  
 in this mistaken Application of his supposed Words, is  
 to induce Your Majesty, to tie down the said Earl  
*at least to a Quit-Rent equal with the highest now in use*  
*in the said Province, or indeed much higher* : For their  
 Lordships, not content with thus having as they say found  
 out, “ That the Island is particularly valuable from it’s  
 “ Soil and Situation,” and having found out also “ cer-  
 “ tain Merchants, with whom their Lordships actually  
 “ agreed,” to give them *certain chosen Townships, the*  
*most advantageous Parts of Coast for Fishing, the two prin-*  
*cipal Harbours, and the greatest Part of the best and cleared*  
*Land of the Island*, “ At a Quit-Rent of Three Shillings  
 “ per Hundred Acres, think it their Duty to state to His  
 “ Ma-



“ Majesty, that the said Earl, and those concerned with  
 “ him ought to pay the like Quit-Rent of Three Shil-  
 “ lings, *for all the rest of the Land of the whole Island,*  
 “ *good and bad,* and to compute, that his Majesty will  
 “ be wronged to the Amount of £. 1250 per Annum,  
 “ if the whole Island, good and bad, should not be now  
 “ charged at the same Quit-Rent of Three Shillings;”  
*forgetting that at the Time of the said Earl’s first Propo-*  
*sal, and long since, their Lordships computed the full*  
*Extent of the said Island, at no more than 500,000 Acres,*  
*whereas now by this Computation of £. 1250. for the*  
*said additional Quit-Rent, they make it amount to no*  
*less than Two Millions five hundred thousand; and omit-*  
*ting at the same Time to observe, that the said Earl and*  
*those concerned with him propose in Return for the lower*  
*Quit-Rent, to take the whole Charge of the \* Civil Go-*  
*vernment upon themselves, and to establish the said Island*  
*throughout in a Mode of Security and Defence, which was*  
*never thought of, attempted, or proposed before.*

The Value of the said Island increasing in their Lord-  
 ships Opinions, as they proceed, “ They think it also  
 “ their Duty to interpose still farther, and though till  
 “ in this Case an Exemption of *Quit-Rent* for Ten  
 “ Years (often prolonged again and again by Acts of  
 “ Governors and Acts of Assembly) has been the con-  
 “ stant Rule in this Province, and all *America*, (when  
 “ the Time has been limited at all) they submit whe-  
 “ ther it would not be reasonable, that in the Case of  
 “ the Grant of this Island to the said Earl, the *Quit-*  
 “ *Rent* should not *commence sooner* than in any former  
 “ Grants: Their Lordships likewise think, that the  
 “ Grants in this (now) valuable Spot, should be yet far-  
 “ ther qualified by other Terms of a Kind *entirely*  
 “ *new;*” and though no Man living either to the Know-  
 ledge of their Lordships (so far as he has been ever  
 informed) or to the Belief of the said Earl himself,  
 has yet discovered any Symptom of *Mines* on the said  
 Island (which undoubtedly may or may not exist, but  
 are

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\* Time will more and more disclose the *unsuspected Expence and far*  
*more extraordinary Power,* to which Government must have recourse, if  
 great and opulent Subjects are not entrusted with the Settlement of *America,*  
 upon this or a similar Plan.



are certainly from the Laws of Nature, less likely to be expected there, than almost in any Part of *America* besides, the said Island being most uncommonly flat, and destitute of Hills and Mountains) yet without assigning any one Reason,\* “ Their Lordships desire, that not  
 “ *only Mines of Gold and Silver* (of which only one fifth  
 “ Part is usually reserved to the Crown) *but that even*  
 “ *all other Mines of Copper, Lead, and Coals,* which  
 “ have ever, by the common Law, attended the Property of the Soil, both in *Britain and America,* should  
 “ *in this particular Grant to the said Earl, be excluded :*”  
 To all which new, uncommon, and aggravated Terms of Settlement, now proposed to be inserted by their Lordships in this Grant, the said Earl has nothing more to say, than that he humbly leaves the Motives and Intentions of them for His Majesty’s Wisdom, and your Lordships Judgment, to consider and decide thereon.

*Eighthly,* “ Their Lordships likewise observing that  
 “ the said Earl, in his last Memorial, desires a large  
 “ Grant for himself and his nine Children, and the rest  
 “ of the said Island to be disposed of, and distributed by  
 “ himself according to such Conditions as have been  
 “ agreed upon by him already, or may be hereafter  
 “ agreed upon by him with the said Adventurers; and  
 “ expressing a Distrust that the said Words may intend  
 “ the Accomplishment of the same Plan, as proposed  
 “ in his first Memorial, *declare,* that if such Conditions  
 “ are similar to, or partake of the Nature of them,  
 “ they must repeat their Opinion, given in their Report  
 “ to the said first Memorial, that such Conditions are  
 “ *impolitick, unexpedient, and anti-commercial.*”

Whereupon in the first Place, the said Earl humbly submits how far, in their Lordship’s first Report,  
 either

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\* This Exception of Mines, *viz. Copper, Lead and Coals,* is directly opposite to all the Ideas of the Legislature of *England*; who (knowing the Difficulties and Expences attending the Discovery and Working of them, and that notwithstanding the great Profits gained by some, the Adventurers upon the whole spend more than is acquired) have consequently given all possible Encouragement to these Undertakings.—Nor could any Means have occurred to the Mind of Man so effectual for preventing all Benefits to *England,* from this Branch of Wealth and Commerce in her Colonies.



either the *first*, the *second*, or the *third* of those *Affertions* stand in any Degree founded either in Argument or Fact; but he may venture (as he thinks with Truth, and he therefore hopes without Offence) on his Part to *assert* also, that they are scarce so much as attempted to be supported by the Shadow of either Fact or Argument in this. And next——As to the Jealousy expressed, “That the present Conditions may be intended to produce the same Mode of Settlement as the first;” the said Earl has no Difficulty, and should think it unworthy and criminal, not to *avow that it was, and is so intended*; nay, farther, the said Earl will not conceal from your Lordships, that to this very Intent the above-mentioned Co-adventurers, foreseeing the Difficulties which have been since thrown in their Way, and meaning to guard against them in all Events, *have already signed an Instrument, whereby they have left the sole Power of Distribution (however the Grant should be hereafter made) to the Judgment and Honour of the Earl.*—And had they not already determined (as they have done) to be concerned in no Grant, unless the whole Island should be fully and completely conferred upon the said Earl in Fee, so that he might be vested in a full Authority to make the Repartition thereof (as well as to accomplish all the Conditions of his original Plan) the Observations here made by their Lordships, upon the *Inconveniencies, Obstructions, Litigations, and Disputes experienced, as they say, amongst the Proprietors in joint-tenancy and Co-partnership in New-York and elsewhere*, would have furnished sufficient Reasons for them to have renounced any other Ideas, and never to have departed from the Principles of the said Earl’s first Memorial; by which therefore they must *now beg of your Lordships to understand, that they do mean entirely to abide*: Neither did, nor can the said Earl; or did, or can any of those with whom he is concerned, ever entertain a Thought of embarking in an Attempt of so great and hazardous a Nature, as that of settling the most exposed and dangerous Frontier of all His Majesty’s *North American Empire* upon any other Plan; or unless they may be allowed that Kind of Grant and Government, from under which they may hope to reap the Fruits of their Industry,



dusttry, Hazard, and Expence; and under which the People they should plant there, might, at the End of many Difficulties, entertain a Prospect of future Affluence, Ease, and Safety, *which they are confident cannot be assured to them upon the Terms insisted on by the Board of Trade*, or upon any other Plan but that which has been offered by the said Earl.

The said Earl did indeed vary some Expressions in his said *second* and *third* Memorials, for this Reason (but for this Reason only) to obviate an Advantage taken from a Suggestion against the *first*, as though some ancient *Norman, Feodal, Scottish*, or some other obnoxious Tenure (without a Name, and not to be described) were to be established thereby, and some exorbitant Power to be produced therefrom.

But neither the said Earl, or those embarked with him, did, or do mean, ever to renounce those Principles upon which the said Grant is alone by them desired; which he now begs to recapitulate in a few Words:—*First*, That the whole Island should be granted to him the said Earl in Fee.—*Secondly*, That the whole Island shall be divided and distributed by the said Earl, pursuant to his present or future Agreements with his Co-adventurers upon the said Plan.—*Thirdly*, That the *Military* Power shall be left to the Governor of *Nova Scotia*, and the *Civil* entrusted wholly to the said Earl, in Conformity to that Establishment which was first proposed, and which appears by the said Earl's first Memorial, and the explanatory Notes thereon.

The said Earl, therefore, on Behalf of himself and the Co-adventurers with him, who have already suffered much by a long expensive Attendance in Town upon this Pursuit, humbly requests that your Lordships will be pleased to take this whole Matter into your Consideration, particularly the said Earl's first Memorial, with his second and third Memorials, and all other Papers relative thereto, which have been transmitted to your Lordships by his Majesty's Command, signified to the Earl of *Halifax*; to the End that your Lordships may be pleased to advise His Majesty to grant the whole Island of *Saint John*, pursuant to, and so as to answer the full Purpose of the said Earl's first Memorial: or that  
a final



a final Issue may be put to the Application of the said Earl and the other intended Adventurers with him, in such manner as shall to your Lordships appear expedient.

*All which is humbly submitted to your Lordships Consideration.*

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AT the Court at *Saint James's*, the 9th Day of *May*,  
1764.

P R E S E N T,  
The KING's Most Excellent MAJESTY.

Lord President,	Viscount Falmouth,
Duke of Leeds,	Viscount Barrington,
Duke of Queensbury,	Lord Berkely of Stratton,
Duke of Ancaster,	Lord Bathurst,
Lord Steward,	Lord Sandys,
Earl of Huntington,	Lord Holland,
Earl of Denbigh,	Lord Tyrawley,
Earl of Sandwich,	Mr. Vice Chamberlain,
Earl of Marchmont,	George Grenville, Esq;
Earl of Halifax,	Wellbore Ellis, Esq;
Earl of Hillsborough,	Richard Rigby, Esq;

Upon reading at the Board a Report of the Right Honourable the Lords of the Committee of Council for Plantation Affairs, dated the 7th of this Instant, in the Words following, *viz.*

“ Your Majesty having been pleased, by Your Order  
“ in Council of the 26th of *March* last, to refer unto  
“ this Committee a Report of the Lords Commissioners  
“ for Trade and Plantations, upon considering a Me-  
“ morial of *John* Earl of *Egmont*, on Behalf of himself  
“ and his nine Children, and of a great Number of  
“ Land and Sea Officers, humbly praying for a Grant  
“ in Fee of the Island of *Saint John* in the Gulph of  
“ *Saint Laurence*, and in the Province of *Nova Scotia*,  
“ upon the Terms and Conditions therein proposed ;—  
“ The Lords of the Committee, in Obedience to Your  
“ Majesty's



“ Majesty’s said Order of Reference, have this Day met  
 “ and considered the said Report; and being of Opinion  
 “ that the Principles therein laid down for granting  
 “ Lands in the Island of *Saint John*, are the most fit and  
 “ proper to be pursued: Their Lordships therefore can-  
 “ not take upon them to advise Your Majesty to grant  
 “ Lands in that Island upon any other Principles than  
 “ those comprized in the said Report.”

His Majesty this Day took the said Reports of the  
 Lords of the Committee of Council, together with the  
 afore-mentioned Report of the Lords Commissioners for  
 Trade and Plantations, into His Royal Consideration,  
 and was pleased, with the Advice of His Privy Council,  
 to approve thereof, and accordingly to order as it is here-  
 by ordered, That no Grants be made of Lands in the said  
 Island of *Saint John*, upon any other Principles than those  
 comprized in the said Report of the Lords Commissioners  
 for Trade and Plantations, a Copy whereof is hereunto  
 annexed.

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To the KING’s Most Excellent MAJESTY  
 in Council.

*The humble Memorial of Admiral Charles Knowles, Sir  
 George Brydges Rodney, Sir Charles Saunders, and  
 Richard Spry, Esq; in Behalf of themselves, and other  
 Officers and Merchants\*,*

*Sheweth,*

**T**HAT as the Proposal made by the Earl of Eg-  
*mont*, for settling the Island of *Saint John* in the  
 Gulph of *Saint Laurence*, has not been approved by  
 Your Majesty in Council,

Your

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\* Presented to his Majesty in Council, May 12, 1764.



Your Majesty's Memorialists most humbly pray a Grant may be made to them of the whole Island of *Saint John's*, to be divided by Lots of twenty thousand Acres each; your Memorialists hereby undertaking to make good and fully complete the Settlement of the said Island, within the Expiration of ten Years.

(Signed)

Admiral Charles Knowles  
Admiral Charles Saunders, *Mem. of Parl.*  
Admiral George Brydges Rodney, *Mem. of Parl.*  
Commodore Richard Spry  
Lieut. Gen. John Oglethorpe  
Philip Stevens, *Member of Parliament*  
Robert Drummond, *Member of Parliament*  
Henry Drummond, *Member of Parliament*  
John Bentinck, *Memb. of Parliament*  
Hon. William Keppel, *Member of Parliament*  
William Adair, *Member of Parliament*  
J. Gambier  
George Marsh  
J. Luttrell  
James Fortrey  
Hon. J. Byron  
William Perceval  
Keene Perceval  
John Perceval  
Philip Perceval  
Richard Purcell  
John Purcell  
James Biddlecombe  
Herbert Thomas  
Hugh Finlay, *Post-Master, Quebec.*

Esqrs.



At the Council Chamber, *Whitehall*, May 14, 1764.

*By the Right Honourable the Lords of the Committee of  
Council for Plantation Affairs.*

THE Lords of the Committee this Day took into Consideration a Memorial of Admiral *Charles Knowles*, Sir *Charles Saunders*, Sir *George Brydges Rodney*, and *Richard Spry*, Esq; in Behalf of themselves and other Officers and Merchants, praying that a Grant may be made to them of the whole Island of *Saint John*, to be divided among them by Lots of twenty thousand Acres each; and their Lordships having, at the same Time, likewise taken into Consideration an Order of His Majesty in Council, dated the 9th of this Instant, approving of the Principles laid down in a Report of the Lords Commissioners for Trade and Plantations for granting Lands in the Island of *Saint John*, and directing that Persons applying for Lands in that Island, should severally make their Proposals to the Board of Trade, that proper Directions might be transmitted to His Majesty's Governor of *Nova Scotia*, for making out Grants proportioned to the Intention and Abilities of the Memorialists respectively;—The Committee do therefore refer the aforesaid Memorialists to make severally their Applications to the Lords Commissioners for Trade and Plantations accordingly.

W. BLAIR.





## I N D E X.

N<sup>o</sup>. 1. **T**H E Earl of *Egmont*'s Memorial to His Majesty, praying a Grant of the whole Island of *St. John*, with his Lordship's Plan for the Settlement thereof; first communicated to the First Lord of Trade, and then presented to His Majesty.

2. A Letter from Admiral *Knowles*, Sir *Charles Saunders*, Sir *George Rodney*, Lord *Townshend*, &c. &c. &c. in behalf of themselves, and many other Gentlemen, to the Board of Trade, praying to be admitted to Grants in the said Island, under Lord *Egmont*, upon his Lordship's Plan.

3. A Letter from Messrs. *Mill*, *Mure*, *Cathcart* and *Spence*, (four Merchants) to the Lords of Trade, praying to withdraw their former Application to that Board, and likewise that they might be admitted to Grants in *St. John*, under Lord *Egmont*, upon his Lordship's Plan.

4. A like Letter containing the same Request from Twenty-one reduced Officers in the Army, to the Lords of Trade.

NB. Both the Merchants and Officers last mentioned, were sent from the Board of Trade to Lord *Egmont*, and directed by that Board, to report the Conversation they might have with Lord *Egmont*, and whether they approved or disapproved his Lordship's Plan.



N<sup>o</sup>. 5. First Report, made by the Board of Trade to His Majesty on Lord *Egmont's* Plan. Dated 13<sup>th</sup> Febr. 1764.

6. Lord *Egmont's* second Memorial to His Majesty. Dated 20<sup>th</sup> February, 1764 . . . To which no official Answer was returned.

7. Lord *Egmont's* third Memorial to His Majesty. Dated 17<sup>th</sup> March, 1764.

8. The second Report made by the Board of Trade, on Lord *Egmont's* third Memorial, which with his Lordship's first Memorial, and the preceding Papers, were referred by His Majesty to a Committee of Council.

9. Lord *Egmont's* Observations on the second Report made by the Board of Trade, which was delivered to the Lord President, and read at the Committee of Council, 3 April 1764.

10. The Report of the Committee of Council to His Majesty, and His Majesty's Order in Council, for confirming the Report made by the Board of Trade.

11. The Memorial of Sir *Charles Saunders*, Sir *George Rodney*, Lord Viscount *Townshend*, &c. &c. &c. praying a Grant of the whole Island of *St. John's*, to be divided into Lots of Twenty thousand Acres each, (agreeable to the Report made by the Board of Trade, wherein they advise not to exceed Twenty thousand Acres) but upon the Plan of Settlement laid down by the Earl of *Egmont*, presented to His Majesty in Council, 12<sup>th</sup> May, 1764.

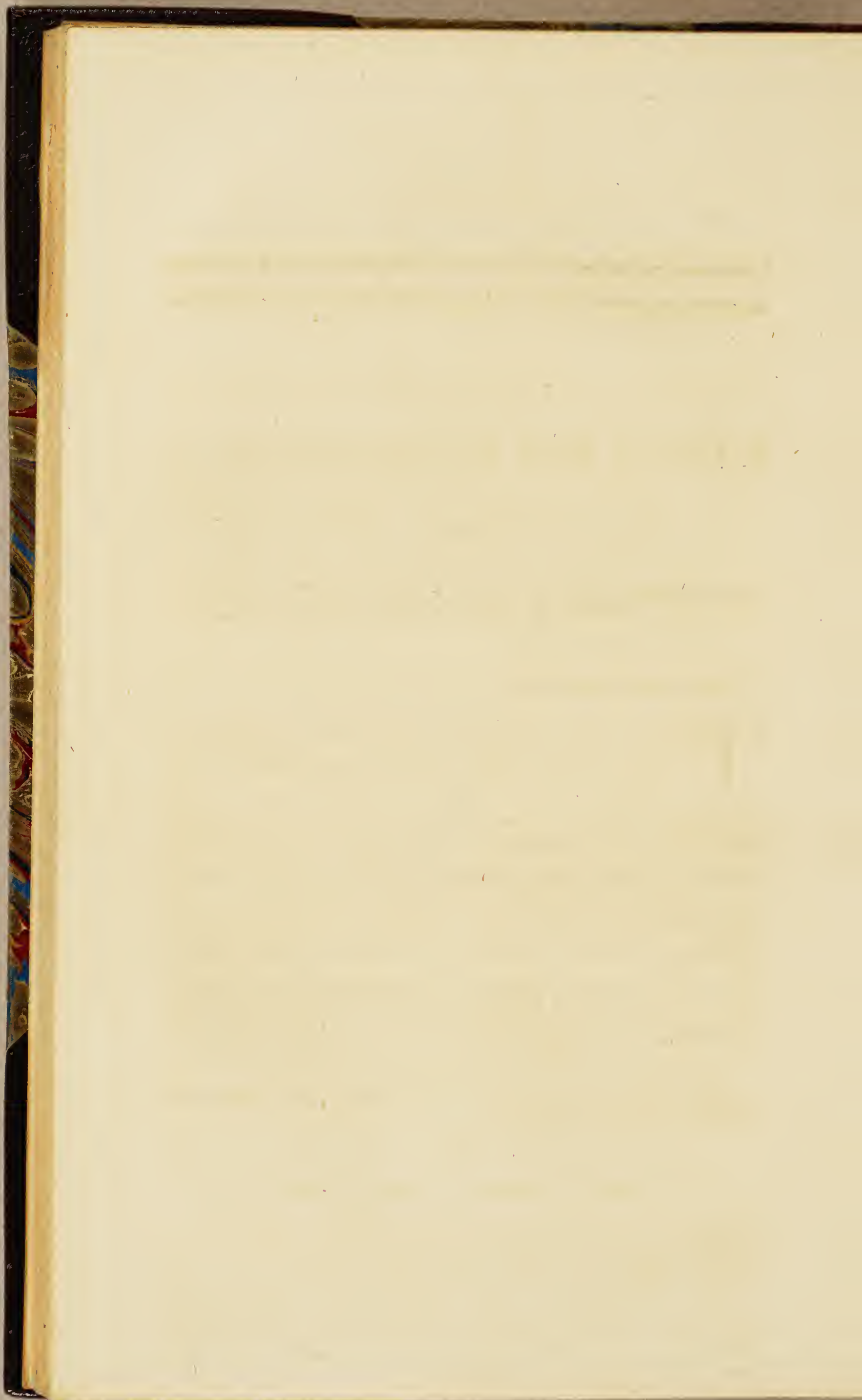
12. Petition of Sir *Charles Saunders*, Admiral *Keppell*, and many other Merchants and Gentlemen, praying a Grant of the said Island of *Saint John's*, upon the Terms prescribed in the Earl of *Egmont's*



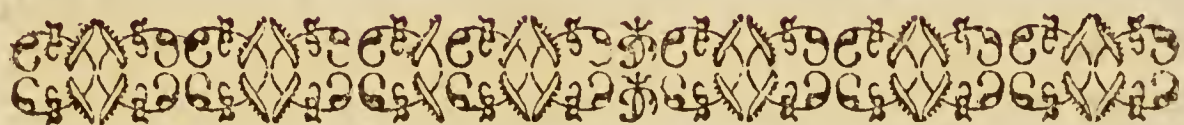
*mont's* First Memorial, with a Proviso, that if any ill Consequences should arise from the Mode laid down in the said Plan, that, on Address to the King in Council, at the End of ten Years, the Jurisdiction may be altered.

*NB.* All the Gentlemen mentioned in the List annexed to Lord *Egmont's* Plan, for settling *Saint John's*, in consideration of the Confidence reposed by them in his Lordship, and to avoid the Perplexity, which might have arisen from any other Mode or Condition of Grant, executed an Instrument in Writing under their Hands and Seals, whereby they left the Settlement, Distribution and Partition of Land, entirely to his Lordship.









To the KING's Most Excellent Majesty  
in Council.

The Petition of *Sir Charles Saunders*, Admiral *Keppel*, Admiral *Durell*, *Sir George Brydges Rodney* Baronet, Admiral *Knowles*, Captain *Palliser*, Captain *Campbell*, Captain *Derby*, Captain *Crosby*, &c. &c. &c. *George* Lord Viscount *Townshend*, General *Moncton*, Colonel *Carlton*, Lieutenant Colonel *Charles Lee*, Major *Allan Maclean*, Captain *Thomas Basset*, and many other the Chief Commanders and inferior Officers of Your Majesty's Sea and Land Forces, who have been employed in the Conquests of *Canada*, the *Havanna*, *Martinique*, *Guadaloupe*, the Neutral Islands, and on other Services in *America*, and elsewhere during the late War, and of *Hutcheson Mure*, *John Mill*, *John Cathcart*, *George Spense*, *Henry Drummond*, *John Stuart*, *Sir George Colebrooke* Baronet, and many other Merchants and Bankers of *London*, *Henry Wauchope*, *Adam Drummond*, *Philip Stephens*, Esquires, and others Members of Parliament, *James Fortrey*, *Hugh Finlay*, *George Marsh*, *Edmund Mason*, and *James Biddlecombe*, Esquires, and many more Gentlemen whose Names are hereunto subscribed, as well for themselves as others, who though absent have given Authority for the same Application on their Behalf,

*Humbly Sheweth,*

**T**HAT Your Petitioners, or the major Part of them did about the latter End of the Year 1763, or the Beginning of the Year 1764, in Concert with the Earl of *Egmont* apply by Memorial  
B presented



presented by him to Your Majesty, for a Grant of the Island of *Saint Johns* in the Gulph of *Saint Lawrence*, whereby it was proposed that the said Earl should be the Nominal Grantee of the said Island, in Trust nevertheless for a due Division, Subdivision and Distribution thereof between him and Your Majesty's Petitioners, upon the Terms therein clearly set forth, with Powers necessary for carrying their mutual Intentions into Speedy and Effectual Execution with a certain Regularity and Order therein described. And the said Earl was to be vested with Nominal Powers to erect a Civil Jurisdiction to be exercised in strict Conformity to the Common and Statute Law of *England*, as it now subsists, or shall or may at any time hereafter subsist in *England*, and not otherwise, with Nominal Powers also for appointing Officers for that Purpose (subject to Your Majesty's express Approbation of each Person to be so appointed), with express Condition, that after such Appointment any or all of the said Officers might be removed at Your Majesty's Pleasure at all Times by Your Majesty in Council: And it was further explained and stipulated in the said Memorial, that all the Lands of the said Island (supposed to contain two Millions of Acres either more or less) should be Surveyed and Plotted with the utmost Equality into Manors of 2,000 Acres, (to each of which should appertain the Privilege of a Court Baron); and into Hundreds nearly Eight Miles Square, each including Twenty of the said Manors, or 40,000 Acres, with Court Baron, and Court Leet, and Hundred Court appertaining to each Hundred, making altogether One County, with One County Court for the whole Island. The Jurisdiction also of such Manors, Hundreds and County Courts to be exactly similar to the like Courts as now used in *England*: Of all which the said Earl was neither directly or indirectly to retain more to himself or his Family, than in the Proportion of One Hundred to himself and One for each of his Children, to be set out in the Case of the said Earl as well as in the Case of Your Majesty's Petitioners, not by Choice, but by Lot, in the Mode therein described; and all the rest of the said Hundreds  
(with



(with the Manors contained therein) were to be Re-granted away in Fee for ever by the said Earl (without any contingent Reversion by Forfeiture or otherwise whatever to the Benefit of himself or his Heirs) to a Number of Your Petitioners as should be equal to the Number of the said Hundreds as aforesaid, not exceeding One Hundred to each ; and Your Majesty's Petitioners were in like manner obliged to regrant away in Fee for ever One half of those Twenty Mannors, thus to be contained in each of their respective Hundreds, so that none of them could retain to their own Use a greater Proportion than that of Ten Manors, or 20,000 Acres. And the said Earl and Your Majesty's Petitioners were bound to fix and establish within the Space of Ten Years such a Number of Inhabitants that a Militia of at least Thirty Men might be afforded to Your Majesty out of each of the said Hundreds, for the Defence of the said Island, to be called out whenever Your Majesty should direct, and by no other Authority ; Reserving to Your Majesty all Military Power whatsoever as to the Officering and Ordering the said Militia, as the Regular Forces which might be maintained in the said Island ; Reserving also to Your Majesty Power to make such Establishment with regard to Ecclesiastical Matters as Your Majesty should think advisable ; Reserving farther such Posts and Places as Your Majesty should think fit to set apart for Forts, Fortifications or Garrisons which Your Majesty might think proper to erect in the said Island ; and Reserving the sole Legislative Power for the said Island to the Parliament of *Great-Britain*, with such other Reservations, Provisoos, and Provisions as reference being had to the said Memorial will more fully and plainly appear.

That in consequence of the said First Memorial, divers other Memorials were presented, Reports made, and Proceedings had upon the Subject-Matter thereof, till at length the late Board of Trade reported their Advice to Your Majesty, to reject the said Plan, and recommended in the place thereof, the System upon which *Nova-Scotia* has hitherto been conducted, and which they declared,



they had always adopted, and intended to adopt for the future Settlement of *America*; insisting moreover that no Grants should be allowed in the said Island, but to such Persons as should individually apply to them, and to such Persons who should be virtually approved by them, who should virtually receive Lands only from them, and in such Proportions as virtually they in their Judgments should think fit, not exceeding Twenty Thousand Acres to each Person (but in the Case of the Earl himself and his Children, not more than Ten Thousand Acres to each of them.) And farther, that every individual Grant should be separately made out, and separately passed (not under the Great Seal of *England*, but) by the Governor, and within the Government of *Nova-Scotia*.

That these Reports being laid before Your Majesty in Council were there confirmed, as Your Petitioners have been informed: And they were further acquainted not long after, that so soon as the Survey of the said Island should be completed, and returned to *Great-Britain*, the Lands thereof should be immediately granted, but none before that Time.

That Your Majesty's Petitioners, being now informed that the said Survey is nearly compleated, and expected daily to arrive in *Great-Britain* (notwithstanding all that has hitherto passed) do most humbly presume once more to address Your Majesty on the same Subject; and with all Duty and Respect do venture to pray, that the said Earl's first Memorial may again be taken into Consideration; and that the said Order in Council relative thereto may be reviewed; and they do with Truth and Sincerity assure Your Majesty, that nothing should induce them to this Presumption, but an absolute Certainty, that they are able, upon this Plan, speedily and at their own Expence to compleat the Settlement of the said whole Island, to maintain the said Settlement so made, and to support the Government thereof, without the Charge of One Shilling to the Publick, and that the like Benefits to this Nation, respecting either Policy or Commerce can be attained by no other Means, in  
this



*this or any other Part of America* : For, though they foresee the future happy Effects of this Example in many Respects to Your Majesty's Government, they cannot possibly expect, after a very great Hazard and Expence, more than a very moderate and very remote Advantage individually to themselves.

And they trust, that this their Application will not in the end appear ill-grounded, persuaded as they are that private and secret Interests of designing Persons *at home*, as well as in the Colonies *abroad*, have been the true, though latent, Source of those Obstructions, which they have hitherto encountered in this Pursuit; for *some* of these Persons having fixed their particular Views upon a few chosen Spots of this Island (formerly cleared by the *French*) which they hope to obtain in the usual Mode and Manner by Management or Favour, if the Plan proposing the Grants by Lot only (and enforcing the real Settlement) should be rejected; *others* having general Views of more Extent and Policy to maintain in all Events, the old pernicious Mode of loose and partial Grants in the rest of Your Majesty's Colonies, there to accomplish the like private Ends: And *both* combined to exert all their Efforts, could not fail to make Impression upon those, to whom these Views have been wholly unsuspected and unknown; which Your Majesty's Petitioners do confidently believe will manifestly appear, should Your Majesty condescend to their Request.

They humbly believe likewise, that this their Desire may be thought the less improper, from the distracted State of many of Your Majesty's Provinces at this time, proceeding plainly from the Want of a regular Division and Subdivision of Lands, with proportional Powers annexed thereto; and of that Connection, Order, Gradation, and Subordination which may be naturally produced thereby.—For a Plan adapted to diffuse a legal Authority through a whole People (where little or none seems now to be maintained) and in the Consequence thereof, to prevent, correct or controul, a licentious Spirit, might not be considered or conceived a necessary



fary Measure *then*, and yet be judged (from a Change in the State of Things) a wise Expedient *now*.

They further hope to justify the Prayer of this Petition from the Discovery since made of those enormous Charges, incidental to the Mode of separate Grants, as advised by the late Board of Trade, undoubtedly not in Contemplation of Your Majesty or Council, or even suspected by Your Petitioners themselves in any such Degree, when the said Reports were approved and confirmed; the Burthen of which Charges would become intolerable, and under them the real and effectual Settlement of this Island never will or can be made: For Your Petitioners do find that the *Fees* alone, though none more should be paid upon these Separate Grants in *Nova Scotia* than have been lately paid even in the Old established Province of *New York* (not including the many other grievous Expences of Sollicitation, Agency, &c. more easily supposed than specified) would amount for every 10,000 Acres to 320*l*. and your Petitioners have in their Hands to produce, an Accout of so much paid by Lieutenant *Donald Campbell*, for passing a Grant for that Quantity of Land in the said Province.

This upon Two Millions of Acres, of which the said Island of *Saint John* is supposed to consist, will amount in the like Proportion to no less than 64,000*l*. To be paid to whom? (Not to Your Majesty or the Public); Out of what Fund? Out of that by which Your Majesty's Petitioners must effect the intended Settlement, in actual Bar of that Settlement; to be remitted in Specie from *Great-Britain*, before they can be let into Possession of One Acre of those Lands in *America*, from many Thousands of which, after actual Possession thereof, they cannot hope to receive any real Profit for Twenty, Thirty, or Forty Years to come.

To these Reasons Your Majesty's Petitioners beg Leave to add another, which it was not in their Power to have urged before, for by late Enquiries into the State of the said Island, they have found that it lies nearly adjacent to that Part  
of



of *Nova Scotia* which is peopled with various Tribes of the *Abenaki* Indians, consisting of no less than Fifteen Hundred Families, the most devoted to the *French*, the most at hand to maintain an Intercourse with and to receive Instructions and Supplies from them ; which (the *French* having Leave by Treaty to fish within three Leagues of this Island, and of the whole Coast of the Bay of *Saint Lawrence*) no Regular Land or Sea Forces, at any possible National Expence, can be able to prevent.

These Circumstances and Situation seem indisputably to demand a regular and firm System, a general and pre-determined Order, the joint Co-operation of many able Undertakers, a real active and immediate Settlement of the whole Island, at one and the same time, before the Commencement of a new War ; and such Provision for Defence and Strength as can only be attained by the Plan laid down in the said First Memorial, incomparably contrived, and suggesting, as they conceive, the only sure and effectual Means to repel and avert the Ravage of an *Indian War*.

But in order still to obviate both personal and publick Prejudices, so far as it is in their Power to do, consistently with the possible Execution of their Design of real Settlement, Your Majesty's Petitioners humbly now desire, that should these Reasons prevail with Your Majesty ; and that at length this their Proposal, with the Plan contained in the said Memorial should be happily viewed in a more favourable Light, so that this important *Experiment* on this *small* Portion of Your Majesty's immense Empire may be permitted to them ; the Grant of the said Island may be made (though in the same Mode and Manner as proposed by the Earl of *Egmont*) yet *either under the said Earl, or any other Peer or Commoner of great Distinction whomsoever*, it may please Your Majesty to appoint, as a Person of sufficient Ability, Character and Weight, to *unite, direct, conduct, superintend, and represent* the Whole. And they farther beg Leave, for the final Extinction of those Jealousies which have been fallaciously and artfully raised against the Constitution therein



therein proposed, to pray, That a Clause may be inserted in such Grant, expressly declaring, "*That if at the End of Ten Years any Ill-consequence should be found to have arisen therefrom, upon Address of the two Houses of Parliament, Your Majesty in Council may change the Jurisdiction,*" in such Manner, as Experience of the Use or Abuse thereof in that Course of Time may then dictate or demand,

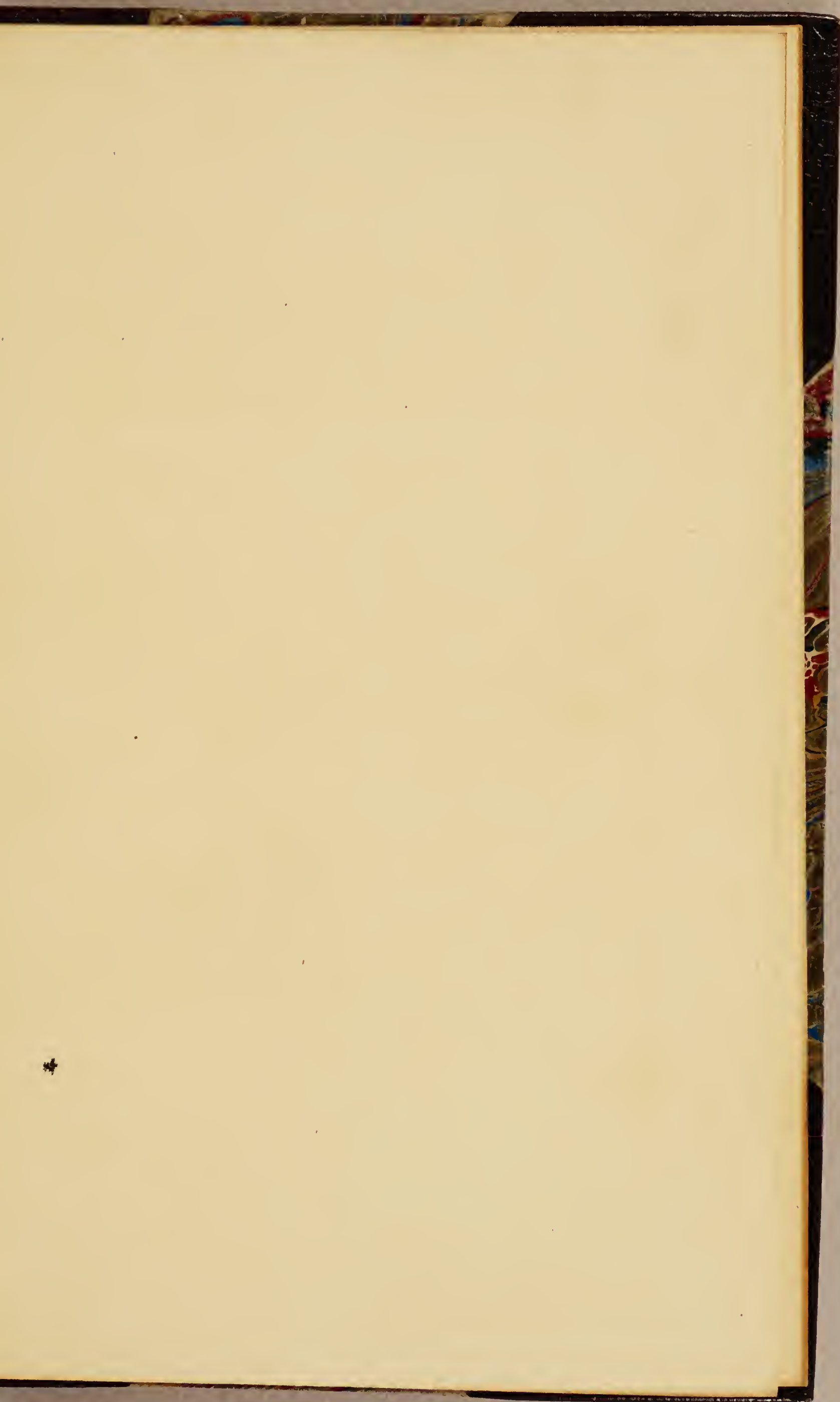
*And Your Majesty's Petitioners shall pray, &c. &c.*

Townshend,  
Charles Saunders,  
A. Keppell,  
Charles Knowles,  
G. B. Rodney,  
John Campbell,  
Philip Durell,  
A. Drummond,  
Thomas Walpole,  
John Oglethorpe,  
Hugh Palliser,  
Edmund Mason,  
John Purcell,  
James Fortrey,  
Allen Maclean,  
William Allanby,  
Thomas Bassett,  
W. Patterson,  
Richard Huck,  
Henry Maclean,  
Donald Campbell,  
John Stewart,  
Henry Drummond,  
James Biddlecombe,  
Hugh Finlay,  
John Cathcart,  
Robert Rogers for Samuel  
Rogers,  
Thomas Hicks,

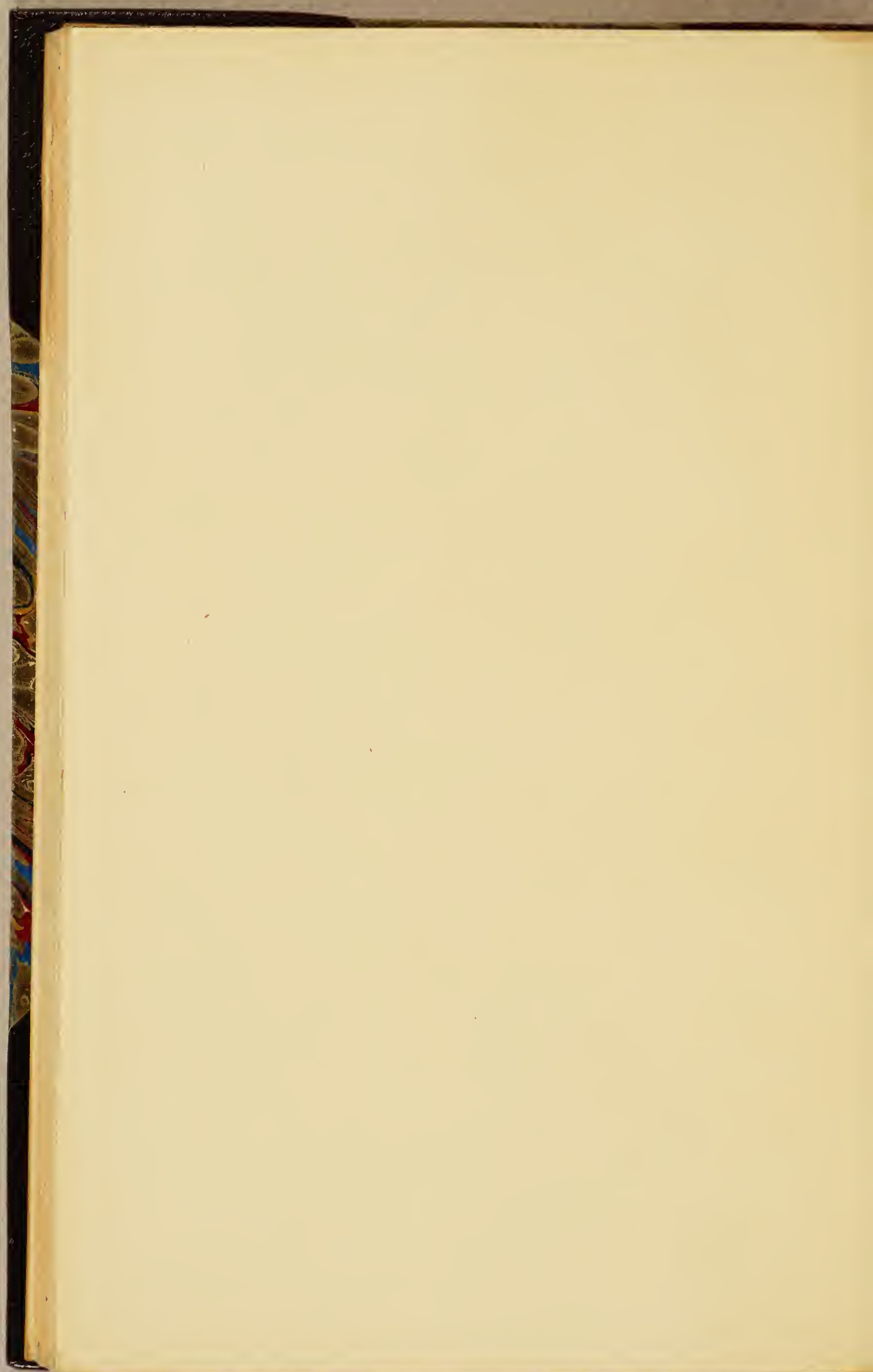
Philip Stephens,  
George Marsh,  
William Perceval,  
Kene Perceval,  
Richard Purcell,  
Philip Perceval,  
Francis Maclean,  
Robert Stuart,  
Peter Gordon,  
William Ridge,  
W. Douglas,  
David Hay,  
Lauchlin Maclean,  
George Campbell,  
Hutcheson Mure,  
John Stuart,  
George Colebrooke,  
Edward Majoribanks,  
John Mill,  
John Cathcart,  
George Spense,  
Brass Crosby,  
James Cockburne,  
Alexander-Albert Nesbitt,  
Barlow Trecothick  
Thomas Harley,  
Thomas Trueman,  
Bircht. Neuve.













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